

TO MAKE TECHNICAL AMENDMENTS TO UPDATE STATUTORY REFERENCES TO CERTAIN PROVISIONS WHICH WERE FORMERLY CLASSIFIED TO CHAPTERS 14 AND 19 OF TITLE 25, UNITED STATES CODE

NOVEMBER 30, 2021.—Referred to the House Calendar and ordered to be printed

Mr. NADLER, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.R. 5695]

The Committee on the Judiciary, to whom was referred the bill (H.R. 5695) to make technical amendments to update statutory references to certain provisions which were formerly classified to chapters 14 and 19 of title 25, United States Code.

CONTENTS

Purpose and Summary .....	Page 1
Background and Need for the Legislation .....	1
Hearings .....	3
Committee Consideration .....	3
Committee Votes .....	3
Committee Oversight Findings .....	3
Committee Estimate of Budgetary Effects .....	3
New Budget Authority and Congressional Budget Office Cost Estimate .....	4
Duplication of Federal Programs .....	4
Performance Goals and Objectives .....	4
Advisory on Earmarks .....	4
Section-by-Section Analysis .....	4
Changes in Existing Law Made by the Bill, as Reported .....	5

Purpose and Summary

Following up on the Office of the Law Revision Counsel’s (OLRC) editorial reclassification of certain provisions classified to title 25 of the United States Code (the Code), H.R. 5695 would update statutory references to those reclassified provisions in other Code titles.

Background and Need for the Legislation

The House has assigned to the Judiciary Committee responsibility for the “Revision and codification of the Statutes of the

United States.”<sup>1</sup> In modern practice, this responsibility entails periodically updating the United States Code (“the Code”). Currently organized in 54 titles based on subject matter, the Code contains all of the general and permanent laws of the United States. Congress created the Code in 1926 to compile federal laws into a sensible, up-to-date collection that would spare people the labor of searching for laws in the chronologically-organized volumes of the Statutes at Large.<sup>2</sup> To date, 27 of these 54 titles have been enacted into “positive law,” which means the text of these titles is itself the law,<sup>3</sup> while the remaining titles are “non-positive,” meaning that they organize federal statutes for users’ convenience, but do not themselves have the force of law.<sup>4</sup>

The entity responsible for updating the Code as Congress passes new laws or amends existing ones is the Office of the Law Revision Counsel (OLRC).<sup>5</sup> Established within the House of Representatives, OLRC’s purpose is “to develop and keep current an official and positive codification of the laws of the United States,” while maintaining strict impartiality as to issues of legislative policy.<sup>6</sup> The Judiciary Committee plays an essential role in two of OLRC’s important functions. OLRC is required:

(1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.

The Judiciary Committee therefore plays a key role in maintaining the accuracy of the U.S. Code. OLRC regularly submits to the Committee proposed legislation that carries out its mission to keep the Code current and correct. The Judiciary Committee then considers and reports this legislation to the House. If the legislation passes into law, OLRC implements the changes in the Code.

<sup>1</sup> Clause 1(l)(17) of House Rule X.

<sup>2</sup>The Statutes at Large is the collection of laws passed in a particular session of Congress, arranged in sequence by public law number, <https://www.archives.gov/federal-register/publications/statutes.html>. The content of the Statutes at Large is considered “legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 112.

<sup>3</sup>For example, H.R. 2694 (117th Congress) proposes amending Title 18 (“Crimes and Criminal Procedure”), which is a positive title of the U.S. Code, so it is drafted to directly amend a provision of that title (“Section 4285 of title 18, United States Code, is amended in the first sentence, . . .”). The content of positive-law Code titles is considered “legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.” 1 U.S.C. § 204.

<sup>4</sup>For example, H.R. 2922 (117th Congress) proposes amending section 101(b) of the Elder Abuse Prevention and Prosecution Act, which is compiled in Title 34 (“Crime Control and Law Enforcement”), a non-positive title of the Code. In this situation, the bill amends the underlying law and includes a parenthetical citation to its location in Title 34 as a convenience (“Section 101(b) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(b)) is amended to read . . .”). The contents of non-positive titles “establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included.” 1 U.S.C. § 204.

<sup>5</sup>Office of the Law Revision Counsel (hereinafter OLRC), U.S. Code, home page, <https://uscode.house.gov/>.

<sup>6</sup>H. Res. 988 (93d Congress), § 205(c), as enacted into law by Pub. L. 93–554 (2 U.S.C. § 285a).

H.R. 5695 is the result of one of the “editorial reclassification” efforts OLRC has undertaken in recent years to better organize the Code’s non-positive titles. According to OLRC, the purpose of editorial reclassification is, “to reorganize areas of law that have outgrown their original boundaries, or to eliminate organizational units that are no longer efficient.”<sup>7</sup> Without altering any statutory language, OLRC relocates and rearranges provisions to make the organization of titles more logical and accessible. As a result of these editorial classifications, statutory references in other titles of the Code must also be updated.

In 2016, OLRC moved provisions from chapter 14 (“Miscellaneous”) in title 25 (Indians) into four new chapters toward the end of title 25. According to OLRC, this reorganization was necessary because more than 900 sections had accumulated in this chapter over years of legislating.<sup>8</sup> OLRC also omitted provisions from chapters 14 and 19 of title 25 that were not of general application.

In the 115th Congress, the Judiciary Committee ordered reported a bill (sponsored by Rep. Issa) making the necessary changes to cross-references in other titles of the Code affected by this title 25 editorial reclassification.<sup>9</sup> H.R. 5695 is an updated version of this legislation.

### **Hearings**

The Committee did not hold any hearings related to H.R. 5695.

### **Committee Consideration**

On November 3, 2021, the Committee met in open session and ordered the bill, H.R. 5695, favorably reported without an amendment, by a voice vote, a quorum being present.

### **Committee Votes**

No roll call votes occurred during the Committee’s consideration of H.R. 5695.

### **Committee Oversight Findings**

In compliance with clause 3(c)(1) of House Rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report.

### **Committee Estimate of Budgetary Effects**

Pursuant to clause 3(d)(1) of House Rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

<sup>7</sup> OLRC web site, Editorial Reclassification, <https://uscode.house.gov/editorialreclassification/reclassification.html>.

<sup>8</sup> OLRC web site, Editorial Reclassification, Title 25, U.S. Code, <https://uscode.house.gov/editorialreclassification/t25/index.html>.

<sup>9</sup> H.R. 5344 (115th Cong.).

### **New Budget Authority and Congressional Budget Office Cost Estimate**

Pursuant to clause 3(c)(2) of House Rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause (3)(c)(3) of House Rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of Congressional Budget Office (CBO) a budgetary analysis and a cost estimate of this bill. Based on CBO's analysis of a similar bill (H.R. 3239) transmitted to the Committee on June 14, 2021, the Committee estimates that H.R. 5695 would have no effect on the federal budget.

### **Duplication of Federal Programs**

Pursuant to clause 3(c)(5) of House Rule XIII, no provision of H.R. 5695 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

### **Performance Goals and Objectives**

The Committee states that pursuant to clause 3(c)(4) of House Rule XIII, H.R. 5695 would help implement an editorial reclassification to portions of the United States Code, with the goal of improving and modernizing the overall organization of the Code.

### **Advisory on Earmarks**

In accordance with clause 9 of House Rule XXI, H.R. 5695 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of House Rule XXI.

### **Section-by-Section Analysis**

Section 1 of the bill updates a statutory reference in title 2, United States Code.

Section 2 of the bill updates statutory references in title 5 United States Code.

Section 3 of the bill updates statutory references in title 6, United States Code.

Section 4 of the bill updates statutory references in title 7, United States Code.

Section 5 of the bill updates a statutory reference in title 8, United States Code.

Section 6 of the bill updates a statutory reference in title 10, United States Code.

Section 7 of the bill updates a statutory reference in title 12, United States Code.

Section 8 of the bill updates statutory references in title 15, United States Code.

Section 9 of the bill updates statutory references in title 16, United States Code.

Section 10 of the bill updates statutory references in title 18, United States Code.

Section 11 of the bill updates statutory references in title 20, United States Code.

Section 12 of the bill updates statutory references in title 21, United States Code.

Section 13 of the bill updates statutory references in title 22, United States Code.

Section 14 of the bill updates statutory references in title 23, United States Code.

Section 15 of the bill updates statutory references in title 25, United States Code.

Section 16 of the bill updates a statutory reference in title 26, United States Code.

Section 17 of the bill updates a statutory reference in title 28, United States Code.

Section 18 of the bill updates statutory references in title 29, United States Code.

Section 19 of the bill updates a statutory reference in title 30, United States Code.

Section 20 of the bill updates a statutory reference in title 31, United States Code.

Section 21 of the bill updates statutory references in title 33, United States Code.

Section 22 of the bill updates statutory references in title 34, United States Code.

Section 23 of the bill updates statutory references in title 36, United States Code.

Section 24 of the bill updates statutory references in title 38, United States Code.

Section 25 of the bill updates statutory references in title 40, United States Code.

Section 26 of the bill updates statutory references in title 42, United States Code.

Section 27 of the bill updates statutory references in title 43, United States Code.

Section 28 of the bill updates statutory references in title 47, United States Code.

Section 29 of the bill updates a statutory reference in title 49, United States Code.

Section 30 of the bill updates a statutory reference in title 50, United States Code.

### **Changes in Existing Law Made by the Bill, as Reported**

In compliance with clause 3(e) of House rule XIII, changes in existing law made by the bill, H.R. 5695, as reported, are shown as follows:

#### **CHANGES IN EXISTING LAW MADE BY THE BILL**

Set out below is a comparative print showing changes in existing law proposed by the bill. Insertions are shown in italic and omissions are surrounded by brackets.

## TITLE 2—THE CONGRESS

### § 1602(15)(D) (Lobbying Disclosure Act of 1995, § 3(15)(D))

#### SEC. 3. DEFINITIONS.

As used in this Act:

\* \* \* \* \*

(15) PUBLIC OFFICIAL.—The term “public official” means any elected official, appointed official, or employee of—

\* \* \* \* \*

(D) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)));

## TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

### § 5911 note (Department of the Interior and Related Agencies Appropriations Act, 1985, § 320)

SEC. 320. Notwithstanding title 5 of the United States Code or any other provision of law, after September 30, 1984, rents and charges collected by payroll deduction or otherwise for the use or occupancy of quarters of agencies funded by this Act shall thereafter be deposited in a special fund in each agency, to remain available until expended, for the maintenance and operation of the quarters of that agency: *Provided*, That nothing contained herein shall prohibit an agreement between an Indian tribe or tribal organization and the Secretary of the Interior or the Secretary of Health and Human Services, pursuant to the Indian Self-Determination Act, as amended [(25 U.S.C. 450 et seq.)](25 U.S.C. 5321 et seq.), under which such tribe or tribal organization may retain rents and charges for the operation, maintenance, and repair of such quarters.

### § 8336(j)(2)(B), (4)(B)

#### § 8336. Immediate retirement

\* \* \* \* \*

(j)(1) \* \* \*

(2) Employment in a tribal organization may be considered for purposes of paragraph (1)(B) of this subsection only if—

\* \* \* \* \*

(B) at the time of such employment such employee and the tribal organization were eligible to elect, and elected, to have the employee retain the coverage, rights, and benefits of this chapter under [section 105(e)(2) of the Indian Self Determination Act (25 U.S.C. 450i(a)(2); 88 Stat. 2209)] *section 104(e)(2) of the Indian Self-Determination Act (25 U.S.C. 5323(e)(2); 88 Stat. 2209).*

\* \* \* \* \*

(4) For the purpose of this subsection—

\* \* \* \* \*

(B) “Indian preference laws” means section 12 of the Act of June 18, 1934 [(25 U.S.C. 472; 48 Stat. 986)] (25 U.S.C. 5116; 48 Stat. 986), or any other provision of law granting a preference to Indians in promotions or other Federal personnel actions.

## TITLE 6—DOMESTIC SECURITY

### § 601(7) (Homeland Security Act of 2002, § 2001(7))

#### SEC. 2001. DEFINITIONS.

In this title, the following definitions shall apply:

\* \* \* \* \*

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

### § 1501(18) (Cybersecurity Information Sharing Act of 2015, § 102(18))

#### SEC. 102. DEFINITIONS.

In this title:

\* \* \* \* \*

(18) TRIBAL.—The term “tribal” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## TITLE 7—AGRICULTURE

### § 178g(a) (Critical Agricultural Materials Act, § 9(a))

SEC. 9. In carrying out the provisions of this Act, the Secretary of Agriculture is authorized to—

(a) make grants to States, education institutions, scientific organizations, and Indian tribes as defined in the Indian Self-Determination and Education Assistance Act [(Public Law 93–638, 25 U.S.C. 450)] (Public Law 93–638, 25 U.S.C. 5301 et seq.), and enter into contracts with such institutions and organizations and with industrial or engineering firms;

### § 178h(a) (Critical Agricultural Materials Act, § 9(a))

SEC. 10. In carrying out the provisions of this Act, the Secretary of Commerce is authorized to—

(a) make grants to States, education institutions, scientific organizations, and Indian tribes as defined in the Indian Self-Determination and Education Assistance Act [(Public Law 93–638, 25 U.S.C. 450)] (Public Law 93–638, 25 U.S.C. 5301 et seq.), and enter into contracts with such institutions and organizations and with industrial or engineering firms;

**§ 913(2) (Rural Electrification Act of 1936, § 13(2))**

**SEC. 13. DEFINITIONS.**

In this Act:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 940e(a) (Rural Electrification Act of 1936, § 315(a))**

**SEC. 315. EXPANSION OF 911 ACCESS.**

(a) IN GENERAL.—Subject to subsection (c) and such terms and conditions as the Secretary may prescribe, the Secretary may make loans under this title to entities eligible to borrow from the Rural Utilities Service, State or local governments, Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)), or other public entities for facilities and equipment to expand or improve in rural areas—

**§ 1471(1)(B)(i)–(iii) (Emergency Livestock Feed Assistance Act of 1988, § 602(1)(B)(i)–(iii))**

DEFINITIONS

SEC. 602. As used in this title:

(1) The term “livestock producer” means—

\* \* \* \* \*

(B) Any of the following entities that is actively engaged in livestock production or husbandry, or dairy production—

- (i) any Indian tribe (as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450(b))] (25 U.S.C. 5304(e)));
- (ii) any Indian organization or entity chartered under the Act of June 18, 1934 [(48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.)] (48 Stat. 984, chapter 576; 25 U.S.C. 5101 et seq.), commonly known as the ‘Indian Reorganization Act’;
- (iii) any tribal organization (as defined in [section 4(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(c))] section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l))); or

**§ 1926(a)(19)(A), (20)(B), (21)(A) (Consolidated Farm and Rural Development Act, § 306(a)(19)(A), (20)(B), (21)(A))**

SEC. 306. (a) \* \* \*

(19) COMMUNITY FACILITIES GRANT PROGRAM.—

(A) IN GENERAL.—The Secretary may make grants, in a total amount not to exceed \$10,000,000 for any fiscal year, to associations, units of general local government, non-profit corporations, Indian Tribes (as defined in section 4(e) of the Indian Self-Determination and Education As-



sistance Act (25 U.S.C. 5304(e)) and federally recognized Indian tribes to provide the Federal share of the cost of developing specific essential community facilities in rural areas.

\* \* \* \* \*

(20) COMMUNITY FACILITIES GRANT PROGRAM FOR RURAL COMMUNITIES WITH EXTREME UNEMPLOYMENT AND SEVERE ECONOMIC DEPRESSION.—

\* \* \* \* \*

(B) GRANT AUTHORITY.—The Secretary may make grants to associations, units of general local government, non-profit corporations, and Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304) in a State to provide the Federal share of the cost of developing specific essential community facilities in rural communities with respect to which the not employed rate is greater than the lesser of—

\* \* \* \* \*

(21) COMMUNITY FACILITIES GRANT PROGRAM FOR RURAL COMMUNITIES WITH HIGH LEVELS OF OUT MIGRATION OR LOSS OF POPULATION.—

(A) GRANT AUTHORITY.—The Secretary may make grants to associations, units of general local government, non-profit corporations, and Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304) in a State to provide the Federal share of the cost of developing specific essential community facilities in any geographic area—

**§ 1926c(e)(1)(C) (Consolidated Farm and Rural Development Act, § 306C(e)(1)(C))**

**SEC. 306C. WATER AND WASTE FACILITY LOANS AND GRANTS TO ALLEVIATE HEALTH RISKS.**

\* \* \* \* \*

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated—

\* \* \* \* \*

(C) in addition to grants provided under subparagraph (A), for grants under this section to benefit Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304), \$20,000,000 for each fiscal year.

**§ 1985(e)(1)(D)(v)(III)(cc) (Consolidated Farm and Rural Development Act, § 335(e)(1)(D)(v)(III)(cc))**

**SEC. 335. \* \* \***

**(e)(1) \* \* \***

**(D) \* \* \***

\* \* \* \* \*

## (v) FORECLOSURE PROCEDURES.—

\*            \*            \*            \*            \*            \*

(III) ASSUMED LOANS.—If an Indian tribe assumes a loan under subclause (I)—

\*            \*            \*            \*            \*            \*

(cc) the loan shall be treated as though the loan was made under Public Law 91–229 [(25 U.S.C. 488 et seq.)].

**§ 2008n(a)(1) (Consolidated Farm and Rural Development Act, § 379(a)(1))**

**SEC. 379. RURAL TELEWORK.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ORGANIZATION.—The term “eligible organization” means a nonprofit entity, an educational institution, an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)), or any other organization, in a rural area (except for the institute), that meets the requirements of this section and such other requirements as are established by the Secretary.

**§ 2008s(a)(1) (Consolidated Farm and Rural Development Act, § 379E(a)(1))**

**SEC. 379E. RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2009bb(3) (Consolidated Farm and Rural Development Act, § 383A(3))**

**SEC. 383A. DEFINITIONS.**

In this subtitle:

\*            \*            \*            \*            \*            \*

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2009dd–1(2) (Consolidated Farm and Rural Development Act, § 385B(2))**

**SEC. 385B. DEFINITIONS.**

In this subtitle:

\*            \*            \*            \*            \*            \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2013 note (Agricultural Act of 2014, § 4004(b)(1))**

**SEC. 4004. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.**

\* \* \* \* \*

(b) **FEASIBILITY STUDY, REPORT, AND DEMONSTRATION PROJECT FOR INDIAN TRIBES.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **INDIAN; INDIAN TRIBE.**—The terms “Indian” and “Indian tribe” have the meaning given the terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

(B) **TRIBAL ORGANIZATION.**—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2020(d) (Food and Nutrition Act of 2008, § 11(d))**

**ADMINISTRATION**

**SEC. 11.** \* \* \*

(d) \* \* \* In the case of all or part of an Indian reservation, the State agency as defined in section 3(t)(1) of this Act shall be responsible for conducting such program on such reservation unless the Secretary determines that the State agency (as defined in section 3(t)(1) of this Act) is failing, subsequent to August 31, 1964, properly to administer such program on such reservation in accordance with the purposes of this chapter and further determines that the State agency as defined in section 3(t)(2) of this Act is capable of effectively and efficiently conducting such program, in light of the distance of the reservation from State agency- operated certification and issuance centers, the previous experience of such tribal organization in the operation of programs authorized under the Indian Self-Determination Act [(25 U.S.C. 450)] (25 U.S.C. 5321 *et seq.*) and similar Acts of Congress, the tribal organization’s management and fiscal capabilities, and the adequacy of measures taken by the tribal organization to ensure that there shall be no discrimination in the operation of the program on the basis of race, color, sex, or national origin, in which event such State agency shall be responsible for conducting such program and submitting for approval a plan of operation specifying the manner in which such program will be conducted. \* \* \*

**§ 2655(c)(1)(E) (Farm Security and Rural Investment Act of 2002, § 6405(c)(1)(E))**

**SEC. 6405. RURAL FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE ASSISTANCE PROGRAM.**

\* \* \* \* \*

(c) **ELIGIBILITY.**—To be eligible to receive a grant under this section, an entity shall—

(1) be—

\* \* \* \* \*

(E) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304));

**§ 7781(1) (Plant Protection Act, § 452(1))**

**SEC. 452. DEFINITIONS.**

In this subtitle:

(1) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 8101(10) (Farm Security and Rural Investment Act of 2002, § 9001(10))**

**SEC. 9001. DEFINITIONS.**

Except as otherwise provided, in this title:

\* \* \* \* \*

(10) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 8302(8) (Animal Health Protection Act, § 10403(8))**

**SEC. 10403. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(8) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 8351 note (Omnibus Public Land Management Act of 2009, § 6201(1))**

**SEC. 6201. DEFINITIONS.**

In this subtitle:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## TITLE 8—ALIENS AND NATIONALITY

**§ 1612(a)(2)(G)(ii) (Personal Responsibility and Work Opportunity Reconciliation Act of 1996, § 402(a)(2)(G)(ii))**

**SEC. 402. LIMITED ELIGIBILITY OF QUALIFIED ALIENS FOR CERTAIN FEDERAL PROGRAMS.**

(a) LIMITED ELIGIBILITY FOR SPECIFIED FEDERAL PROGRAMS.—

\* \* \* \* \*

(2) EXCEPTIONS.—

\* \* \* \* \*

(G) EXCEPTION FOR CERTAIN INDIANS.—With respect to eligibility for benefits for the specified Federal programs described in paragraph (3), section 401(a) and paragraph (1) shall not apply to any individual—\* \* \*

(ii) who is a member of an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e))).

## TITLE 10—ARMED FORCES

§ 2827 note (Military Construction Authorization Act for Fiscal Year 2016, § 2805(a)(2))

§ 2805. CONVEYANCE TO INDIAN TRIBES OF RELOCATABLE MILITARY HOUSING UNITS AT MILITARY INSTALLATIONS IN THE UNITED STATES.

(a) DEFINITIONS.— In this section:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List act of 1994 [(25 U.S.C. 479a–1)] (25 U.S.C. 5131).

## TITLE 12—BANKS AND BANKING

§ 5481(27) (Consumer Financial Protection Act of 2010, § 1002(27))

SEC. 1002. DEFINITIONS.

Except as otherwise provided in this title, for purposes of this title, the following definitions shall apply:

\* \* \* \* \*

(27) STATE.—The term “State” means any State, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, or the United States Virgin Islands or any federally recognized Indian tribe, as defined by the Secretary of the Interior under section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a–1(a))] (25 U.S.C. 5131(a)).

## TITLE 15—COMMERCE AND TRADE

§ 375(9) (Act of October 19, 1949, § 1(8))

SECTION 1. DEFINITIONS.

As used in this Act, the following definitions apply:

\* \* \* \* \*

(9) INDIAN TRIBE.—The term “Indian tribe”, “tribe”, or “tribal” refers to an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)) or as listed pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a–1)] (25 U.S.C. 5131).

**§ 375 note (Prevent All Cigarette Trafficking Act of 2009, § 5(a)(1))**

**SEC. 5. EXCLUSIONS REGARDING INDIAN TRIBES AND TRIBAL MATTERS.**

(a) IN GENERAL.—Nothing in this Act or the amendments made by this Act shall be construed to amend, modify, or otherwise affect—

- (1) any agreements, compacts, or other intergovernmental arrangements between any State or local government and any government of an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)) relating to the collection of taxes on cigarettes or smokeless tobacco sold in Indian country;

**§ 632(d) (Small Business Act, § 3(d))**

**SEC. 3. DEFINITIONS.**

\* \* \* \* \*

(d) For purposes of section 7 of this Act, the term “qualified Indian tribe” means an Indian tribe as defined in [section 4(a) of the Indian Self-Determination and Education Assistance Act] *section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))*, which owns and controls 100 per centum of a small business concern.

**§ 2203(6) (Federal Fire Prevention and Control Act of 1974, § 4(6))**

DEFINITIONS

SEC. 4. As used in this Act, the term—

\* \* \* \* \*

- (6) “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304) and “tribal” means of or pertaining to an Indian tribe;

**§ 6312(a) (Professional Boxing Safety Act of 1996, § 21(a))**

**SEC. 21. PROFESSIONAL BOXING MATCHES CONDUCTED ON INDIAN RESERVATIONS.**

(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

- (1) INDIAN TRIBE.—The term “Indian tribe” has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

- (3) TRIBAL ORGANIZATION.—The term “tribal organization” has the same meaning as in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

## TITLE 16—CONSERVATION

### § 410 note (Miccosukee Reserved Area Act, §§ 4(10), 8(f)(1)(B))

\* \* \* \* \*

#### SEC. 4. DEFINITIONS.

In this Act:

\* \* \* \* \*

(10) **TRIBE.**—The term “Tribe”, unless otherwise specified, means the Miccosukee Tribe of Indians of Florida, a tribe of American Indians recognized by the United States and organized under section 16 of the Act of June 18, 1934 [(48 Stat. 987; 25 U.S.C. 476)] (48 Stat. 987; 25 U.S.C. 5123), and recognized by the State of Florida pursuant to chapter 285, Florida Statutes.

\* \* \* \* \*

#### SEC. 8. MISCELLANEOUS.

\* \* \* \* \*

(f) **PARTIES HELD HARMLESS.**—

(1) **UNITED STATES HELD HARMLESS.**—

\* \* \* \* \*

(B) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to alter any liability or other obligation that the United States may have under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

### § 539p(b)(3) (Military Construction Authorization Act for Fiscal Year 2015, § 3003(b)(3))

#### SEC. 3003. SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION.

\* \* \* \* \*

(b) **DEFINITIONS.**—In this section:

\* \* \* \* \*

(3) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

### 4§ 803(e)(1) (Federal Power Act, § 10(e)(1))

SEC. 10. All licenses issued under this Part shall be on the following conditions:

\* \* \* \* \*

(e)(1) That the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the Commission for the purpose of reimbursing the United States for the costs of the administration of this Part, including any reasonable and necessary costs incurred by Federal and State fish and wildlife agencies and other natural and cultural resource agencies in connection with studies or other reviews carried out by such agencies for purposes

of administering their responsibilities under this part; for recompensing it for the use, occupancy, and enjoyment of its lands or other property; and for the expropriation to the Government of excessive profits until the respective States shall make provision for preventing excessive profits or for the expropriation thereof to themselves, or until the period of amortization as herein provided is reached, and in fixing such charges the Commission shall seek to avoid increasing the price to the consumers of power by such charges, and any such charges may be adjusted from time to time by the Commission as conditions may require: Provided, That, subject to annual appropriations Acts, the portion of such annual charges imposed by the Commission under this subsection to cover the reasonable and necessary costs of such agencies shall be available to such agencies (in addition to other funds appropriated for such purposes) solely for carrying out such studies and reviews and shall remain available until expended: Provided, That when licenses are issued involving the use of Government dams or other structures owned by the United States or tribal lands embraced within Indian reservations the Commission shall, subject to the approval of the Secretary of the Interior in the case of such dams or structures in reclamation projects and, in the case of such tribal lands, subject to the approval of the Indian tribe having jurisdiction of such lands as provided in section 16 of the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 987; 25 U.S.C. 5123), fix a reasonable annual charge for the use thereof, and such charges may with like approval be readjusted by the Commission at the end of twenty years after the project is available for service and at periods of not less than ten years thereafter upon notice and opportunity for hearing: \* \* \*

**§ 941c(e)(5) (Great Lakes Fish and Wildlife Restoration Act of 1990, § 1005(e)(5))**

**SEC. 1005. IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.**

\* \* \* \* \*

**(e) COST SHARING.—**

\* \* \* \* \*

(5) EFFECT ON CERTAIN INDIAN TRIBES.—Nothing in this subsection affects an Indian tribe affected by an alternative applicable cost sharing requirement under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1002 (Watershed Protection and Flood Prevention Act, § 2)**

SEC. 2. For the purposes of this Act, the following terms shall mean:

\* \* \* \* \*

“Local organization”—any State, political subdivision thereof, soil or water conservation district, flood prevention or control district, or combinations thereof, or any other agency having authority under State law to carry out, maintain and operate the works of improvement; or any irrigation or reservoir company, water users’ association, or similar organization having such authority and not being operated for profit that may be approved by the Secretary;



or any Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304), having authority under Federal, State, or Indian tribal law to carry out, maintain, and operate the works of improvement.

**§ 1166(a)(4) (Fur Seal Act of 1966, § 206(a)(4))**

**SEC. 206. FINANCIAL ASSISTANCE.**

(a) GRANT AUTHORITY.—

\* \* \* \* \*

(4) FUNDING INSTRUMENTS AND PROCEDURES.—In providing assistance under this subsection the Secretary shall transfer any funds appropriated to carry out this section to the Secretary of the Interior, who shall obligate such funds through instruments and procedures that are equivalent to the instruments and procedures required to be used by the Bureau of Indian Affairs pursuant to title IV of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5361 et seq.).

**§ 2103d(a)(2) (Cooperative Forestry Assistance Act of 1978, § 7A(a)(2))**

**SEC. 7A. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.**

(a) DEFINITIONS.—In this section:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3102 note (Department of the Interior and Related Agencies Act, 1998, § 316(c)(1))**

SEC. 316. SUBSISTENCE HUNTING AND FISHING IN ALASKA. (a)  
\* \* \*

\* \* \* \* \*

(c) SAVINGS CLAUSE.—No provision of this section, amendment made by this section, or exercise of authority pursuant to this section may be construed to validate, invalidate, or in any way affect—

(1) any assertion that an Alaska native organization (including a federally recognized tribe, traditional Alaska Native council, or Alaska Native council organized pursuant to the Act of June 18, 1934 [(25 U.S.C. 461 et seq.)] (25 U.S.C. 5101 et seq.), as amended) has or does not have governmental authority over lands (including management of, or regulation of the taking of, fish and wildlife) or persons within the boundaries of the State of Alaska;

**§ 3451(6) (Agriculture and Food Act of 1981, § 1528(6))**

**SEC. 1528. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(6) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3801(a)(14) (Food Security Act of 1985, § 1201(a)(14))**

DEFINITIONS

SEC. 1201. (a) For purposes of subtitles A through E:

\* \* \* \* \*

(14) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

**§ 6502(2) (Healthy Forests Restoration Act of 2003, § 3(2))**

**SEC. 3. DEFINITIONS.**

In this Act:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 6572(e)(2)(A)(v) (Healthy Forests Restoration Act of 2003, § 502(e)(2)(A)(v))**

**SEC. 502. ELIGIBILITY AND ENROLLMENT OF LANDS IN PROGRAM.**

\* \* \* \* \*

(e) METHODS OF ENROLLMENT.—

\* \* \* \* \*

(2) ACREAGE OWNED BY INDIAN TRIBES.—

\* \* \* \* \*

(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—

\* \* \* \* \*

In this paragraph, the term “acreage owned by Indian tribes” includes—

\* \* \* \* \*

(v) land that is owned by a native corporation formed under section 17 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) [(25 U.S.C. 477)] (25 U.S.C. 5124) or section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); or

## TITLE 18—CRIMES AND CRIMINAL PROCEDURE

**§ 207(j)(1)(B)**

**§ 207. Restrictions on former officers, employees, and elected officials of the executive and legislative branches**

\* \* \* \* \*

(j) EXCEPTIONS.—

## (1) OFFICIAL GOVERNMENT DUTIES.—

\* \* \* \* \*

(B) TRIBAL ORGANIZATIONS AND INTER-TRIBAL CONSORTIUMS.—The restrictions contained in this section shall not apply to acts authorized by section 104(j) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450i(j))] (25 U.S.C. 5323(j)).

**§ 228(f)(1)****§ 228. Failure to pay legal child support obligations**

\* \* \* \* \*

(f) DEFINITIONS.—As used in this section—

(1) the term “Indian tribe” has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (25 U.S.C. 5130);

**§ 841(t)****§ 841. Definitions**

As used in this chapter:

\* \* \* \* \*

(t) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (25 U.S.C. 5130)).

**§ 1159(c)(3)(A)****§ 1159. Misrepresentation of Indian produced goods and products**

\* \* \* \* \*

(c) As used in this section—

\* \* \* \* \*

(3) the term “Indian tribe”—

(A) has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304); and

**TITLE 20—EDUCATION****§ 80Q–14(8) (National Museum of the American Indian Act, § 16(8))****SEC. 16. DEFINITIONS.**

As used in this Act—

\* \* \* \* \*

(8) the term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304);

**§ 1059c(b)(3)(A) (Higher Education Act of 1965, § 316(b)(3)(A))**  
**SEC. 316. AMERICAN INDIAN TRIBALLY CONTROLLED COLLEGES AND**  
**UNIVERSITIES.**

\* \* \* \* \*

(b) DEFINITIONS.—In this section:

\* \* \* \* \*

(3) TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” means an institution that—

(A) qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act [(25 U.S.C. 640a note)]; or

**§ 1087uu–1(2) (Higher Education Act of 1965, § 479C(2))**

**NATIVE AMERICAN STUDENTS.**

SEC. 479C. In determining family contributions for Native American students, computations performed pursuant to this part shall exclude—

\* \* \* \* \*

(2) any income received by the student (and spouse) and student’s parents under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) or the Maine Indian Claims Settlement Act of 1980 [(25 U.S.C. 1721 et seq.)].

**§ 1232g(b)(1)(L) (General Education Provisions Act, § 444(b)(1)(L))**

**PROTECTION OF THE RIGHTS AND PRIVACY OF PARENTS**  
**AND STUDENTS**

SEC. 444. (a) \* \* \*

\* \* \* \* \*

(b)(1) No funds shall be made available under any applicable program to any educational agency or institution which has a policy or practice of permitting the release of education records (or personally identifiable information contained therein other than directory information, as defined in paragraph (5) of subsection (a)) of students without the written consent of their parents to any individual, agency, or organization, other than to the following—

\* \* \* \* \*

(L) an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)]) (25 U.S.C. 5304), who has the right to access the student’s case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an indi-

vidual or entity engaged in addressing the students education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

**§ 1411(h)(4)(A) (Individuals with Disabilities Education Act, § 611(h)(4)(A))**

**SEC. 611. AUTHORIZATION; ALLOTMENT; USE OF FUNDS; AUTHORIZATION OF APPROPRIATIONS.**

\* \* \* \* \*

**(h) USE OF AMOUNTS BY SECRETARY OF THE INTERIOR.—**

\* \* \* \* \*

**(4) PAYMENTS FOR EDUCATION AND SERVICES FOR INDIAN CHILDREN WITH DISABILITIES AGED 3 THROUGH 5.—**

**(A) IN GENERAL.**—With the funds appropriated under subsection (i), the Secretary of Education shall make payments to the Secretary of the Interior to be distributed to tribes or tribal organizations (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or consortia of tribes or tribal organizations to provide for the coordination of assistance for special education and related services for children with disabilities aged 3 through 5 on reservations served by elementary schools and secondary schools for Indian children operated or funded by the Department of the Interior. The amount of such payments under subparagraph (B) for any fiscal year shall be equal to 20 percent of the amount allotted under subsection (b)(2).

**§ 1443(b)(1) (Individuals with Disabilities Education Act, § 643(b)(1))**

**SEC. 643. ALLOCATION OF FUNDS.**

\* \* \* \* \*

**(b) PAYMENTS TO INDIANS.—**

**(1) IN GENERAL.**—The Secretary shall, subject to this subsection, make payments to the Secretary of the Interior to be distributed to tribes, tribal organizations (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or consortia of the above entities for the coordination of assistance in the provision of early intervention services by the States to infants and toddlers with disabilities and their families on reservations served by elementary schools and secondary schools for Indian children operated or funded by the Department of the Interior. The amount of such payment for any fiscal year shall be 1.25 percent of the aggregate of the amount available to all States under this part for such fiscal year.

**§ 1461(b)(1)(H) (Individuals with Disabilities Education Act, § 661(b)(1)(H))**

**SEC. 661. PURPOSE; DEFINITION OF ELIGIBLE ENTITY.**

\* \* \* \* \*

## (b) DEFINITION OF ELIGIBLE ENTITY.—

(1) IN GENERAL.—In this subpart, the term “eligible entity” means—

\* \* \* \* \*

(H) an Indian tribe or a tribal organization (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); or

**§ 6613(a)(2) (Elementary and Secondary Education Act of 1965, § 2103(a)(2))**

**SEC. 2103. LOCAL USES OF FUNDS.**

(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out—

\* \* \* \* \*

(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)).

**§ 7171(b)(3) (Safe and Drug-Free Schools and Communities Act of 1994, § 4201(b)(3))**

**SEC. 4201. PURPOSE; DEFINITIONS.**

\* \* \* \* \*

(b) DEFINITIONS.—In this part:

\* \* \* \* \*

(3) ELIGIBLE ENTITY.—The term “eligible entity” means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)), another public or private entity, or a consortium of two or more of such agencies, organizations, or entities.

**§ 7272(1)(A)(ii), (iii)(IV) (Safe and Drug-Free Schools and Communities Act of 1994, § 4622(1)(A)(ii), (iii)(IV))**

**SEC. 4622. DEFINITIONS.**

In this subpart:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means the following:

(A) With respect to a grant for activities described in section 4623(a)(1)(A)—

\* \* \* \* \*

(ii) an Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304); or

(iii) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

\* \* \* \* \*

(IV) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 7423(d)(1)(A)(ii) (Elementary and Secondary Education Act of 1965, § 6113(d)(1)(A)(ii))**

**SEC. 6113. AMOUNT OF GRANTS.**

\* \* \* \* \*

(d) SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN EDUCATION.—

(1) IN GENERAL.—Subject to subsection (e), in addition to the grants awarded under subsection (a), the Secretary shall allocate to the secretary of the Interior an amount equal to the product of—

(A) the total number of Indian children enrolled in schools that are operated by—

\* \* \* \* \*

(ii) an Indian tribe, or an organization controlled or sanctioned by an Indian tribal government, for the children of that tribe under a contract with, or grant from, the Department of the Interior under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) or the Tribally controlled Schools Act of 1988; and

**§ 7544(a)(1)(C)(ii) (Alaska Native Educational Equity, Support, and Assistance Act, § 6304(a)(1)(C)(ii))**

**SEC. 6304. PROGRAM AUTHORIZED.**

(a) GENERAL AUTHORITY.—

(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with—

\* \* \* \* \*

(C) an entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native organization under this part but—

\* \* \* \* \*

(ii) is granted an official charter or sanction, as described in the definition of a tribal organization under section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304), from at least one Alaska Native tribe or Alaska Native organization to carry out programs that meet the purposes of this part.

**§ 7546(2) (Alaska Native Educational Equity, Support, and Assistance Act, § 6306(2))**

**SEC. 6306. DEFINITIONS.**

In this part:

\* \* \* \* \*

(2) **ALASKA NATIVE ORGANIZATION.**—The term “Alaska Native organization” means an organization that has or commits to acquire expertise in the education of Alaska Natives and is—

(A) an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304), that is an Indian tribe located in Alaska;

(B) a “tribal organization”, as defined in section 4 of such Act [(25 U.S.C. 450b)] (25 U.S.C. 5304), that is a tribal organization located in Alaska; or

**§ 9402(5) (Early Learning Opportunities Act, § 803(5))**

**SEC. 803. DEFINITIONS.**

In this title:

\* \* \* \* \*

(5) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## **TITLE 21—FOOD AND DRUGS**

**§ 381(h)(3) (Federal Food, Drug, and Cosmetic Act, § 801(h)(3))**

SEC. 801. (a) \* \* \*

(h)(1) \* \* \*

(3) The Secretary shall improve linkages with other regulatory agencies of the Federal Government that share responsibility for food safety, and shall with respect to such safety improve linkages with the States and Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e))).

**§ 387(10) (Federal Food, Drug, and Cosmetic Act, § 900(10))**

**SEC. 900. DEFINITIONS.**

In this chapter:

\* \* \* \* \*

(10) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).



**§ 399(b)(1)(A)(iv) (Federal Food, Drug, and Cosmetic Act,  
§ 1009(b)(1)(A)(iv))**

**SEC. 1009. GRANTS TO ENHANCE FOOD SAFETY.**

\* \* \* \* \*

**(b) ELIGIBLE ENTITIES; APPLICATION.—**

(1) IN GENERAL.—In this section, the term “eligible entity” means an entity—

(A) that is—

\* \* \* \* \*

(iv) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e))); or

**§ 679c(a)(3) (Public Health Security and Bioterrorism Preparedness and Response Act of 2002, § 332(a)(3))**

**SEC. 332. EXPANSION OF FOOD SAFETY INSPECTION SERVICE ACTIVITIES.**

(a) IN GENERAL.—The Secretary of Agriculture may utilize existing authorities to give high priority to enhancing and expanding the capacity of the Food Safety Inspection Service to conduct activities to—

\* \* \* \* \*

(3) strengthen the ability of the Service to collaborate with relevant agencies within the Department of Agriculture and with other entities in the Federal Government, the States, and Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e))) through the sharing of information and technology; and

**§ 1532(a)(2)(B)(ii) (National Narcotics Leadership Act of 1988, § 1032(a)(2)(B)(ii))**

**SEC. 1032. PROGRAM AUTHORIZATION.**

(a) GRANT ELIGIBILITY.—To be eligible to receive an initial grant or a renewal grant under this subchapter, a coalition shall meet each of the following criteria:

\* \* \* \* \*

**(2) MAJOR SECTOR INVOLVEMENT.—**

\* \* \* \* \*

(B) ELECTED OFFICIALS.—If feasible, in addition to representatives from the categories listed in subparagraph (A), the coalition shall have an elected official (or a representative of an elected official) from—

\* \* \* \* \*

(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e))).

## TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

### § 2124c(e)(2), (m)(2) (Tourism Policy and Export Promotion Act of 1992, § 4(e)(2), (m)(2))

#### SEC. 4. RURAL TOURISM DEVELOPMENT FOUNDATION.

\* \* \* \* \*

(e) ACCEPTANCE OF GIFTS, DEVISES, AND BEQUESTS.—

\* \* \* \* \*

(2) INDIANS.—A gift, devise, or bequest accepted by the Foundation for the benefit of or in connection with rural tourism on Indian reservations, pursuant to the Act of February 14, 1931 [(25 U.S.C. 451)] (25 U.S.C. 5341), shall be maintained in a separate accounting for the benefit of Indian tribes in the development of tourism on Indian reservations.

\* \* \* \* \*

(m) DEFINITIONS.—As used in this section—

\* \* \* \* \*

(2) the term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e));

## TITLE 23—HIGHWAYS

### § 201(c)(6)(A)(ii)

#### § 201. Federal lands and tribal transportation programs

\* \* \* \* \*

(c) TRANSPORTATION PLANNING.—

\* \* \* \* \*

(6) DATA COLLECTION.—

(A) DATA COLLECTION.—

\* \* \* \* \*

(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

### § 202

#### § 202. Tribal transportation program

(a) USE OF FUNDS.—

\* \* \* \* \*

(10) COMPETITIVE BIDDING.—

\* \* \* \* \*

(B) APPLICABILITY.—Notwithstanding subparagraph (A), section 23 of the Act of June 25, 1910 (25 U.S.C. 47) and section 7(b) of the Indian Self-Determination and Edu-

cation Assistance Act [(25 U.S.C. 450e(b))] (25 U.S.C. 5307(b)) shall apply to all funds administered by the Secretary of the Interior that are appropriated for the construction and improvement of tribal transportation facilities.

(b) FUNDS DISTRIBUTION.—

\* \* \* \* \*

(5) HEALTH AND SAFETY ASSURANCES.—Notwithstanding any other provision of law, an Indian tribal government may approve plans, specifications, and estimates and commence road and bridge construction with funds made available from the tribal transportation program through a contract or agreement under [Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)] *the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)*, if the Indian tribal government—

\* \* \* \* \*

(6) CONTRACTS AND AGREEMENTS WITH INDIAN TRIBES.—

(A) IN GENERAL.—Notwithstanding any other provision of law or any interagency agreement, program guideline, manual, or policy directive, all funds made available through the Secretary of the Interior under this chapter and section 125(e) for tribal transportation facilities to pay for the costs of programs, services, functions, and activities, or portions of programs, services, functions, or activities, that are specifically or functionally related to the cost of planning, research, engineering, and construction of any tribal transportation facility shall be made available, upon request of the Indian tribal government, to the Indian tribal government for contracts and agreements for such planning, research, engineering, and construction in accordance with [Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)] *the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)*.

\* \* \* \* \*

(7) CONTRACTS AND AGREEMENTS WITH INDIAN TRIBES.—

(A) IN GENERAL.—Notwithstanding any other provision of law or any interagency agreement, program guideline, manual, or policy directive, all funds made available to an Indian tribal government under this chapter for a tribal transportation facility program or project shall be made available, on the request of the Indian tribal government, to the Indian tribal government for use in carrying out, in accordance with the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), contracts and agreements for the planning, research, design, engineering, construction, and maintenance relating to the program or project.

\* \* \* \* \*

(F) ELIGIBILITY.—

\* \* \* \* \*

(ii) CONSIDERATIONS.—An Indian tribal government that had no uncorrected significant and material audit exceptions in the required annual audit of the contracts or self-governance funding agreements made by the Indian tribe with any Federal agency under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) during the 3-fiscal year period referred in clause (i) shall be conclusive evidence of the financial stability and financial management capability of the Indian tribe for purposes of clause (i).

(G) ASSUMPTION OF FUNCTIONS AND DUTIES.—An Indian tribal government receiving funding under subparagraph (A) for a program or project shall assume all functions and duties that the Secretary of the Interior would have performed with respect to a program or project under this chapter, other than those functions and duties that inherently cannot be legally transferred under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

(H) POWERS.—An Indian tribal government receiving funding under subparagraph (A) for a program or project shall have all powers that the Secretary of the Interior would have exercised in administering the funds transferred to the Indian tribal government for such program or project under this section if the funds had not been transferred, except to the extent that such powers are powers that inherently cannot be legally transferred under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

(I) DISPUTE RESOLUTION.—In the event of a disagreement between the Secretary or the Secretary of the Interior and an Indian tribe over whether a particular function, duty, or power may be lawfully transferred to the Indian tribe under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the Indian tribe shall have the right to pursue all alternative dispute resolution and appeal procedures authorized by that Act, including regulations issued to carry out the Act.

\* \* \* \* \*

(c) PLANNING.—

(1) IN GENERAL.—For each fiscal year, not more than 2 percent of the funds made available for the tribal transportation program shall be allocated among Indian tribal governments that apply for transportation planning pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

\* \* \* \* \*

**§ 207(g), (l), (m)(2)**

**§ 207. Tribal transportation self-governance program**

\* \* \* \* \*

(g) **COST PRINCIPLES.**—In administering funds received under this section, an Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by section 106 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450j–1)] (25 U.S.C. 5325), other provisions of law, or by any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget. No other audit or accounting standards shall be required by the Secretary. Any claim by the Federal Government against the Indian tribe relating to funds received under a funding agreement based on any audit conducted pursuant to this subsection shall be subject to the provisions of section 106(f) of that Act [(25 U.S.C. 450j–1(f))] (25 U.S.C. 5325(f)).

\* \* \* \* \*

(l) **APPLICABILITY OF INDIAN SELF DETERMINATION AND EDUCATION ASSISTANCE ACT.**—Except to the extent in conflict with this section (as determined by the Secretary), the following provisions of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 *et seq.*) shall apply to compact and funding agreements (except that any reference to the Secretary of the Interior or the Secretary of Health and Human Services in such provisions shall be treated as a reference to the Secretary of Transportation):

(1) Subsections (a), (b), (d), (g), and (h) of section 506 of such Act [(25 U.S.C. 458aaa–5)] (25 U.S.C. 5386), relating to general provisions.

(2) Subsections (b) through (e) and (g) of section 507 of such Act [(25 U.S.C. 458aaa–6)] (25 U.S.C. 5387), relating to provisions relating to the Secretary of Health and Human Services.

(3) Subsections (a), (b), (d), (e), (g), (h), (i), and (k) of section 508 of such Act [(25 U.S.C. 458aaa–7)] (25 U.S.C. 5388), relating to transfer of funds.

(4) Section 510 of such Act [(25 U.S.C. 458aaa–9)] (25 U.S.C. 5390), relating to Federal procurement laws and regulations.

(5) Section 511 of such Act [(25 U.S.C. 458aaa–10)] (25 U.S.C. 5391), relating to civil actions.

(6) Subsections (a)(1), (a)(2), and (c) through (f) of section 512 of such Act [(25 U.S.C. 458aaa–11)] (25 U.S.C. 5392), relating to facilitation, except that subsection (c)(1) of that section shall be applied by substituting “transportation facilities and other facilities” for “school buildings, hospitals, and other facilities”.

(7) Subsections (a) and (b) of section 515 of such Act [(25 U.S.C. 458aaa–14)] (25 U.S.C. 5395), relating to disclaimers.

(8) Subsections (a) and (b) of section 516 of such Act [(25 U.S.C. 458aaa–15)] (25 U.S.C. 5396), relating to application of title I provisions.

(9) Section 518 of such Act [(25 U.S.C. 458aaa–17)] (25 U.S.C. 5398), relating to appeals.

(m) **DEFINITIONS.**—

\* \* \* \* \*

(2) **APPLICABILITY OF OTHER DEFINITIONS.**—In this section, the definitions set forth in [sections 4 and 505 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b; 458aaa)] *sections 4 and 501 of the Indian Self-Deter-*

*mination and Education Assistance Act (25 U.S.C. 5304, 5381)*  
 apply, except as otherwise expressly provided in this section.

## TITLE 25—INDIANS

### § 13 note (Education Amendments of 1978, § 1102(a))

#### FUNDING PROVISION

SEC. 1102. (a) The Secretary of the Interior shall develop alternative methods for the equitable distribution of any supplement program funds provided, pursuant to an appropriation under the Act of November 2, 1921, commonly referred to as the Snyder Act, for contracting under the Act of April 16, 1934, commonly referred to as the Johnson-O'Malley Act (*25 U.S.C. 5342 et seq.*), and shall publish in the Federal Register by March 1, 1979, such alternatives for the purpose of allowing eligible tribes to comment by May 1, 1979. At that time, the Secretary shall conduct a field survey listing all alternative formula.

### § 13-1 (Education Amendments of 1978, § 1103(b))

#### BASIC EDUCATIONAL SUPPORT

SEC. 1103. (a)(1) \* \* \*

(b) Such sums as are needed under such Act of November 2, 1921, are authorized to be appropriated to provide funds for basic educational support through parent committees under such Act of April 16, 1934 (*25 U.S.C. 5342 et seq.*), to those public schools educating Indian students and whose total sum of Federal, State, and local funds is insufficient to bring the education of the enrolled Indian students to a level equal to the level of education provided non-Indian students in the public schools in which they are enrolled where the absence of such support would result in the closing of schools or the reduction in quality of the education program afforded Indian students attending public schools.

### § 13a (Indian Self-Determination and Education Assistance Act, § 8)

#### CARRYOVER FUNDING

SEC. 8. Notwithstanding any other provision of law, any funds appropriated pursuant to the Act of November 2, 1921 (42 Stat. 208), for any fiscal year which are not obligated or expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation or expenditures during such succeeding fiscal year. In the case of amounts made available to a tribal organization under a self-determination contract, if the funds are to be expended in the succeeding fiscal year for the purpose for which they were originally appropriated, contracted or granted, or for which they are authorized to be used pursuant to the provisions of [section 106(a)(3)] section 106(a)(4), no additional justification or documentation of such purposes need be provided by the tribal organization to the Secretary as a condition of receiving or expending such funds.

**§ 13d (Department of the Interior and Related Agencies Appropriations Act, 1985, 7th proviso in 1st paragraph under heading “OPERATION OF INDIAN PROGRAMS”)**

\* \* \* *Provided further*, That after September 30, 1985, no part of any appropriation (except trust funds) to the Bureau of Indian Affairs may be used directly or by contract for general or other welfare assistance (except child welfare assistance) payments (1) for other than essential needs (specifically identified in regulations of the Secretary or in regulations of the State public welfare agency pursuant to the Social Security Act adopted by reference in the Secretary’s regulations) which could not be reasonably expected to be met from financial resources or income (including funds held in trust) available to the recipient individual which are not exempted under law from consideration in determining eligibility for or the amount of Federal financial assistance or (2) for individuals who are eligible for general public welfare assistance available from a State except to the extent the Secretary of the Interior determines that such payments are required under sections 6(b)(2), 6(i), and 9(b) of the Maine Indian Claims Settlement Act of 1980 [(94 Stat. 1793, 1794, 1796; 25 U.S.C. 1725(b)(2), 1725(i), 1728(b))] (94 Stat. 1793, 1794, 1796).

**§ 13d-2(a)(1) (Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, § 5404(a)(1))**

(a) IN GENERAL.—The Secretary of the Interior shall not disqualify from continued receipt of general assistance payments from the Bureau of Indian Affairs an otherwise eligible Indian for whom the Bureau is making or may make general assistance payments (or exclude such an individual from continued consideration in determining the amount of general assistance payments for a household) because the individual is enrolled (and is making satisfactory progress toward completion of a program or training that can reasonably be expected to lead to gainful employment) for at least half-time study or training in—

(1) a college assisted by the Bureau under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (92 Stat. 1325; 25 U.S.C. 1801) or the Navajo Community College Act [(85 Stat. 645; 25 U.S.C. 640a)] (85 Stat. 645);

**§ 13e (Department of the Interior and Related Agencies Appropriations Act, 1985, title I, matter before 1st proviso in 1st paragraph under heading “ADMINISTRATIVE PROVISIONS”)**

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans and the Indian loan guarantee and insurance fund) shall be available for expenses of exhibits; purchase of not to exceed 275 passenger carrying motor vehicles of which 225 shall be for replacement only, and hereafter such appropriations under this or any other act shall be available for: the expenses of exhibits; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to [the Act of June 4, 1936 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.)] the Act of April 16, 1934 (48 Stat. 596), as amended

(25 U.S.C. 5342 et seq.), the Act of August 3, 1956 (20 Stat. 896), as amended (25 U.S.C. 309 et seq.), and legislation terminating Federal supervision over certain tribes; and expenses required by continuing or permanent treaty provision:

**§ 81(a)(2) (Revised Statutes, § 2103(a)(2))**

SEC. 2103. (a) In this section:

\* \* \* \* \*

(2) The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

**§ 292b (Supplemental Appropriations Act, 1983, 8th proviso in 1st paragraph under heading “OPERATION OF INDIAN PROGRAMS”)**

\* \* \* *Provided further*, That nothing in the foregoing shall preclude assistance otherwise available under the Act of April 16, 1934 (48 Stat. 596) as amended [(25 U.S.C. 452 et seq.)] (25 U.S.C. 5342 et seq.), or any other Act to such schools on the same basis as other public schools:

**§ 304a (Act of July 14, 1956, ch. 588, § 2)**

SEC. 2. The Secretary, in carrying out the provisions of this joint resolution, is authorized to enter into contracts in accordance with the provisions of [the Johnson-O’Malley Act of June 4, 1936 (49 Stat. 1458; 25 U.S.C. 452)] *the Johnson-O’Malley Act of April 16, 1934 (48 Stat. 596; 25 U.S.C. 5342)*.

**§ 305e(a)(3)(A) (Indian Arts and Crafts Act, § 6(a)(3)(A))**

SEC. 6. (a) DEFINITIONS.—In this section:

\* \* \* \* \*

(3) INDIAN TRIBE.—

(A) IN GENERAL.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 324 (Act of February 5, 1948, § 2)**

SEC. 2. No grant of a right-of-way over and across any lands belonging to a tribe organized under the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), as amended; the Act of May 1, 1936 (49 Stat. 1250); or the Act of June 26, 1936 (49 Stat. 1967), shall be made without the consent of the proper tribal officials. \* \* \*

**§ 331 note (White Earth Reservation Land Settlement Act of 1985, § 3(i))**

SEC. 3. For purposes of this Act:

\* \* \* \* \*

(i) “Trust period” shall mean the period during which the United States held an allotment in trust for the allottee or the allottee’s heirs. For the purpose of this Act, the Executive Order Numbered 4642 of May 5, 1927, Executive Order Numbered 5768 of December 10, 1931, and Executive Order Numbered 5953 of November 23,



1932, shall be deemed to have extended trust periods on all allotments or interests therein the trust periods for which would otherwise have expired in 1927, 1932, or 1933, notwithstanding the issuance of any fee patents for which there were no applications, and if such allotments were not specifically exempted from the Executive orders; and the Indian Reorganization Act of June 18, 1934 (*25 U.S.C. 5101 et seq.*), shall be deemed to have extended indefinitely trust periods on all allotments or interests therein the trust periods for which would otherwise have expired on June 18, 1934, or at any time thereafter. Said Executive orders and Act shall be deemed not to have extended the trust period for allotments or interests which were sold or mortgaged by adult mixed bloods, by non-Indians, or with the approval of the Secretary, or for allotments or interests which were sold or mortgaged by anyone where such sale or mortgage was the subject of litigation in Federal court which proceeded to a judgment on the merits and where the outcome of such litigation did not vacate or void said sale or mortgage.

**§ 390 (Act of April 4, 1938, 4th proviso)**

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to grant concessions on reservoir sites, reserves for canals or flowage areas, and other lands under his jurisdiction which have been withdrawn or otherwise acquired in connection with the San Carlos, Fort Hall, Flathead, and Duck Valley or Western Shoshone irrigation projects for the benefit in whole or in part of Indians, and to lease such lands for agricultural, grazing, or other purposes: \* \* \*

*Provided further*, That where tribal lands of any Indian tribe organized under section 16 of the Act of June 18, 1934 [(48 Stat. 984)] (*48 Stat. 987; 25 U.S.C. 5123*), have been withdrawn or reserved for the purposes hereinbefore mentioned, such lands may be leased or concessions may be granted thereon only by the proper tribal authorities, upon such conditions and subject to such limitations as may be set forth in the constitution and bylaws or charter of the respective tribes: \* \* \*

**§ 396b (Act of May 11, 1938, § 2)**

SEC. 2. That leases for oil- and/or gas-mining purposes covering such unallotted lands shall be offered for sale to the highest responsible qualified bidder, at public auction or on sealed bids, after notice and advertisement, upon such terms and subject to such conditions as the Secretary of the Interior may prescribe. Such advertisement shall reserve to the Secretary of the Interior the right to reject all bids whenever in his judgment the interest of the Indians will be served by so doing, and if no satisfactory bid is received, or the accepted bidder fails to complete the lease, or the Secretary of the Interior shall determine that it is unwise in the interest of the Indians to accept the highest bid, said Secretary may readvertise such lease for sale, or with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations: *Provided*, That the foregoing provisions shall in no manner restrict the right of tribes organized and incorporated under sections 16 and 17 of the Act of June 18, 1934 [(48 Stat. 984)] (*48 Stat. 987; 25 U.S.C. 5123, 5124*), to lease lands for mining purposes as therein provided and in accordance with the provisions of any

constitution and charter adopted by any Indian tribe pursuant to the Act of June 18, 1934 (*25 U.S.C. 5101 et seq.*).

**§ 415 (Act of August 9, 1955, § 1)**

SECTION 1. \* \* \*

(d) DEFINITIONS.—For purposes of this section:

\* \* \* \* \*

(9) the term “Indian tribe” has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (*25 U.S.C. 5130*); and

\* \* \* \* \*

(h) TRIBAL APPROVAL OF LEASES.—

\* \* \* \* \*

(3) AUTHORITY OF SECRETARY OVER TRIBAL REGULATIONS.—

\* \* \* \* \*

(D) INDIAN SELF-DETERMINATION ACT.—The technical assistance to be provided by the Secretary pursuant to subparagraph (C) may be made available through contracts, grants, or agreements entered into in accordance with, and made available to entities eligible for, such contracts, grants, or agreements under the Indian Self-Determination Act [(25 U.S.C. 450 et seq.)] (*25 U.S.C. 5321 et seq.*).

**§ 1461 (Indian Financing Act of 1974, § 101)**

SEC. 101. In order to provide credit that is not available from private money markets, or to supplement funds from private lenders, including loans guaranteed by the Secretary pursuant to section 201 of this Act, all funds that are now or hereafter a part of the revolving fund authorized by the Act of June 18, 1934 [(48 Stat. 986)] (*48 Stat. 986; 25 U.S.C. 5101 et seq.*), the Act of June 26, 1936 (49 Stat. 1968), and the Act of April 19, 1950 (64 Stat. 44), as amended and supplemented, including sums received in settlement of debts of livestock pursuant to the Act of May 24, 1950 [(64 Stat. 190)] (*64 Stat. 190; 25 U.S.C. 1545, 1546*), and sums collected in repayment of loans heretofore or hereafter made, and as interest or other charges on loans, shall hereafter be administered as a single Indian Revolving Loan Fund. The fund shall be available for loans to Indians having a form of organization that is satisfactory to the Secretary and for loans to individual Indians: Provided, That, where the Secretary determines a rejection of a loan application from a member of an organization making loans to its membership from moneys borrowed from the fund is unwarranted, he may, in his discretion, make a direct loan to such individual from the fund. The fund shall also be available for administrative expenses incurred in connection therewith, or, in the discretion of the Secretary of the Interior, as a contribution to the Indian Loan Guaranty and Insurance Fund authorized by section 217 of this Act, or for the payment of interest subsidies authorized by section 301 of this Act.

**§ 1546 (Act of May 24, 1950, § 2)**

SEC. 2. Any moneys hereafter received in settlement of such debts or from the sale of livestock so repaid to the United States shall be deposited in the revolving fund established pursuant to the

Act of June 18, 1934 [(48 Stat. 984)] (*48 Stat. 984; 25 U.S.C. 5101 et seq.*), and June 26, 1936 (49 Stat. 1967), as amended and supplemented.

**§ 1603(25), (26) (Indian Health Care Improvement Act, § 4(25), (26))**

SEC. 4. In this Act:

\* \* \* \* \*

(25) TRIBAL HEALTH PROGRAM.—The term “tribal health program” means an Indian tribe or tribal organization that operates any health program, service, function, activity, or facility funded, in whole or part, by the Service through, or provided for in, a contract or compact with the Service under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (*25 U.S.C. 5301 et seq.*).

(26) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (*25 U.S.C. 5304*).

**§ 1613a(b)(3)(A)(ii) (Indian Health Care Improvement Act, § 104(b)(3)(A)(ii))**

INDIAN HEALTH PROFESSIONS SCHOLARSHIPS

SEC. 104. (a) \* \* \*

(b)(1) \* \* \*

(3)(A) The active duty service obligation under a written contract with the Secretary under section 338A of the Public Health Service Act (42 U.S.C. 254l) that an individual has entered into under that section shall, if that individual is a recipient of an Indian Health Scholarship, be met in full-time practice, by service—

\* \* \* \* \*

(ii) in a program conducted under a contract entered into under the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*);

**§ 1616a(a)(2)(A)(ii)(I) (Indian Health Care Improvement Act, § 108(a)(2)(A)(ii)(I))**

INDIAN HEALTH SERVICE LOAN REPAYMENT PROGRAM

SEC. 108. (a)(1) \* \* \*

(2) For the purposes of this section—

(A) the term “Indian health program” means any health program or facility funded, in whole or part, by the Service for the benefit of Indians and administered—

\* \* \* \* \*

(ii) by any Indian tribe or tribal or Indian organization pursuant to a contract under—

(I) the Indian Self-Determination Act (25 U.S.C. 5321 et seq.), or

**§ 1616a–1(c)(1) (Indian Health Care Improvement Act,  
§ 108A(c)(1))**

SCHOLARSHIP AND LOAN REPAYMENT RECOVERY FUND

SEC. 108A. (a) \* \* \*

(c)(1) Amounts in the Fund and available pursuant to appropriation Acts may be expended by the Secretary, acting through the Service, to make payments to an Indian tribe or tribal organization administering a health care program pursuant to a contract entered into under the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*)—

**§ 1616c(b)(2) (Indian Health Care Improvement Act,  
§ 110(b)(2))**

TRIBAL RECRUITMENT AND RETENTION PROGRAM

SEC. 110. (a) \* \* \*

(b)(1) \* \* \*

(2) Indian tribes and tribal and Indian organizations under the authority of the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*) shall be given an equal opportunity with programs that are administered directly by the Service to compete for, and receive, grants under subsection (a) for such projects.

**§ 1616d(c) (Indian Health Care Improvement Act, § 111(c))**

ADVANCED TRAINING AND RESEARCH

SEC. 111. (a) \* \* \*

(c) Health professionals from Indian tribes and tribal and Indian organizations under the authority of the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*) shall be given an equal opportunity to participate in the program under subsection (a).

**§ 1616e(f)(B) (Indian Health Care Improvement Act,  
§ 112(f)(B))**

NURSING PROGRAM

SEC. 112. (a) \* \* \*

(f) The active duty service obligation prescribed under section 338C of the Public Health Service Act (42 U.S.C. 254m) shall be met by each individual who receives training or assistance described in paragraph (1) or (2) of subsection (b) that is funded by a grant provided under subsection (a). Such obligation shall be met by service—

\* \* \* \* \*

(B) in a program conducted under a contract entered into under the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*);

**§ 1616j(f) (Indian Health Care Improvement Act, § 117(f))**

RETENTION BONUS

SEC. 117. (a) \* \* \*

(f) The Secretary may pay retention bonus to any physician or nurse employed by an organization providing health care services to Indians pursuant to a contract under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) if such physician or nurse is serving in a position which the Secretary determines is—

**§ 1621(a) (Indian Health Care Improvement Act, § 201(a))**

**SEC. 201. INDIAN HEALTH CARE IMPROVEMENT FUND.**

(a) USE OF FUNDS.—The Secretary, acting through the Service, is authorized to expend funds, directly or under the authority of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*), which are appropriated under the authority of this section, for the purposes of—

**§ 1621a(c) (Indian Health Care Improvement Act, § 202(c))**

**SEC. 202. CATASTROPHIC HEALTH EMERGENCY FUND.**

\* \* \* \* \*

(c) CONDITIONS ON USE OF FUND.—No part of CHEF or its administration shall be subject to contract or grant under any law, including the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*), nor shall CHEF funds be allocated, apportioned, or delegated on an Area Office, Service Unit, or other similar basis.

**§ 1621c(e)(2)(B) (Indian Health Care Improvement Act, § 204(e)(2)(B))**

**SEC. 204. DIABETES PREVENTION, TREATMENT, AND CONTROL.**

\* \* \* \* \*

(e) OTHER DUTIES OF THE SECRETARY.—

\* \* \* \* \*

(2) DIABETES CONTROL OFFICERS.—

\* \* \* \* \*

(B) CERTAIN ACTIVITIES.—Any activity carried out by a diabetes control officer under subparagraph (A) that is the subject of a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*), and any funds made available to carry out such an activity, shall not be divisible for purposes of that Act.

**§ 1621d(a)(2) (Indian Health Care Improvement Act, § 205(a)(2))**

**SEC. 205. OTHER AUTHORITY FOR PROVISION OF SERVICES.**

(a) DEFINITIONS.—In this section:

\* \* \* \* \*

(2) HOME- AND COMMUNITY-BASED SERVICE.—The term “home- and community-based service” means 1 or more of the services specified in 20 paragraphs (1) through (9) of section 1929(a) of the 21 Social Security Act (42 U.S.C. 1396t(a)) (whether provided by the Service or by an Indian tribe or tribal organization pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C.

5301 et seq.) that are or will be provided in accordance with applicable standards.

**§ 1621e(e)(3)(A) (Indian Health Care Improvement Act, § 206(e)(3)(A))**

**SEC. 206. REIMBURSEMENT FROM CERTAIN THIRD PARTIES OF COSTS OF HEALTH SERVICES.**

\* \* \* \* \*

(e) ENFORCEMENT.—

\* \* \* \* \*

(3) RECOVERY FROM TORTFEASORS.—

(A) IN GENERAL.—In any case in which an Indian tribe or tribal organization that is authorized or required under a compact or contract issued pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) to furnish or pay for health services to person who is injured or suffers a disease on or after the date of enactment of the Indian Health Care Improvement Reauthorization and Extension Act of 2009 under circumstances that establish grounds for a claim of liability against the tortfeasor with respect to the injury or disease, the Indian tribe or tribal organization shall have a right to recover from the tortfeasor (or an insurer of the tortfeasor) the reasonable value of the health services so furnished, paid for, or to be paid for, in accordance with the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), to the same extent and under the same circumstances as the United States may recover under that Act.

**§ 1621g (Indian Health Care Improvement Act, § 208)**

**HEALTH SERVICES RESEARCH**

SEC. 208. Of the amounts appropriated for the Service in any fiscal year, other than amounts made available for the Indian Health Care Improvement Fund, not less than \$200,000 shall be available only for research to further the performance of the health service responsibilities of the Service. Indian tribes and tribal organizations contracting with the Service under the authority of the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) shall be given an equal opportunity to compete for, and receive, research funds under this section.

**§ 1621h(d)(3)(A), (k)(3), (l) (Indian Health Care Improvement Act, § 209(d)(3)(A), (k)(3),(l))**

**MENTAL HEALTH PREVENTION AND TREATMENT SERVICES.**

SEC. 209. \* \* \*

\* \* \* \* \*

(d) BEHAVIORAL HEALTH TRAINING AND COMMUNITY EDUCATION PROGRAMS.—

\* \* \* \* \*

## (3) TRAINING CRITERIA.—

(A) IN GENERAL.—The appropriate Secretary shall provide training criteria appropriate to each type of position identified in paragraphs (2)(A) and (2)(B) and ensure that appropriate training has been, or shall be provided to any individual in any such position. With respect to any such individual in a position identified pursuant to paragraph (2)(C), the respective Secretaries shall provide appropriate training to, or provide funds to, an Indian tribe or tribal organization for training of appropriate individuals. In the case of positions funded under a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the appropriate Secretary shall ensure that such training costs are included in the contract or compact, as the Secretary determines necessary.

\* \* \* \* \*

(k) MENTAL HEALTH DEMONSTRATION GRANT PROGRAM.—(1)  
\* \* \*

(3) For purposes of this subsection, the Secretary shall, in evaluating applications for grants for projects to be operated under any contract entered into with the Service under the Indian Self Determination Act (25 U.S.C. 5321 et seq.), use the same criteria that the Secretary uses in evaluating any other application for such a grant

\* \* \* \* \*

(1) LICENSING REQUIREMENT FOR MENTAL HEALTH CARE WORKERS.—Any person employed as a psychologist, social worker, or marriage and family therapist for the purpose of providing mental health care services to Indians in a clinical setting under the authority of this chapter or through a contract pursuant to the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) shall—

**§ 1621l (Indian Health Care Improvement Act, § 213(b))**

**SEC. 213. PATIENT TRAVEL COSTS.**

\* \* \* \* \*

(b) PROVISION OF FUNDS.—The Secretary, acting through the Service and Tribal Health Programs, is authorized to provide funds for the following patient travel costs, including qualified escorts, associated with receiving health care services provided (either through direct or contract care or through a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.)) under this Act—

**§ 1621m (Indian Health Care Improvement Act, § 214(a)(3))**

**SEC. 214. EPIDEMIOLOGY CENTERS.**

(a) ESTABLISHMENT OF CENTERS.—

\* \* \* \* \*

(3) FUNDS NOT DIVISIBLE.—An epidemiology center established under this subsection shall be subject to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450

et seq.)】 (25 U.S.C. 5301 et seq.), but the funds for the center shall not be divisible.

\* \* \* \* \*

**§ 1621r(a) (Indian Health Care Improvement Act, § 219(a))**

**CONTRACT HEALTH SERVICES PAYMENT STUDY**

SEC. 219. (a) The Secretary, acting through the Service and in consultation with representatives of Indian tribes and tribal organizations operating contract health care programs under the Indian Self-Determination Act [(25 U.S.C. 450f et seq.)] (25 U.S.C. 5321 et seq.) or under self-governance compacts, Service personnel, private contract health services providers, the Indian Health Service Fiscal Intermediary, and other appropriate experts, shall conduct a study—

**§ 1621t (Indian Health Care Improvement Act, § 221)**

**SEC. 221. LICENSING.**

Licensed health professionals employed by a tribal health program shall be exempt, if licensed in any State, from the licensing requirements of the State in which the tribal health program performs the services described in the contract or compact of the tribal health program under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1631(c)(1)(B), (C), (e), (h) (Indian Health Care Improvement Act, § 301(c)(1)(B), (C), (e), (h))**

**CONSULTATION; CLOSURE OF FACILITIES; REPORTS**

**SEC. 301. \* \* \***

**(c) HEALTH CARE FACILITY PRIORITY SYSTEM.—**

**(1) IN GENERAL.—**

\* \* \* \* \*

**(B) NEEDS OF FACILITIES UNDER ISDEAA AGREEMENTS.—**The Secretary shall ensure that the planning, design, construction, renovation, and expansion needs of Service and non-Service facilities operated under contracts or compacts in accordance with Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) are fully and equitably integrated into the health care facility priority system.

**(C) CRITERIA FOR EVALUATION NEEDS.—**For purposes of this subsection, the Secretary, in evaluating the needs of facilities operated under a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), shall use the criteria used by the Secretary in evaluating the needs of facilities operated directly by the Service.

\* \* \* \* \*

**(e) FUNDING CONDITION.—**All funds appropriated under the Act of November 2, 1921 (25 U.S.C. 13) (commonly known as the “Snyder Act”), for the planning, design, construction, or renovation of



health facilities for the benefit of 1 or more Indian Tribes shall be subject to the provisions of section 102 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450f)] (25 U.S.C. 5321) or sections 504 and 505 of that Act [(25 U.S.C. 458aaa-3, 458aaa-4)] (25 U.S.C. 5384, 5385).

\* \* \* \* \*

(h) All funds appropriated under the Act of November 2, 1921 (25 U.S.C. 13), for the planning, design, construction, or renovation of health facilities for the benefit of an Indian tribe or tribes shall be subject to the provisions of sections 102 of the Indian Self-Determination Act (25 U.S.C. 5321).

**§ 1632(f), (g)(2) (Indian Health Care Improvement Act, § 302(f), (g)(2))**

**SAFE WATER AND SANITARY WASTE DISPOSAL FACILITIES**

SEC. 302. \* \* \*

(f) Programs administered by Indian tribes or tribal organizations under the authority of the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) shall be eligible for—

\* \* \* \* \*

(g)(1) \* \* \*

(2) In preparing each report required under paragraph (1) (other than the initial report), the Secretary shall consult with Indian tribes and tribal organizations (including those tribes or tribal organizations operating health care programs or facilities under any contract entered into with the Service under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*)) to determine the sanitation needs of each tribe.

**§ 1634(a)(1) (Indian Health Care Improvement Act, § 305(a)(1))**

**EXPENDITURE OF NONSERVICE FUNDS FOR RENOVATION**

SEC. 305. (a)(1) Notwithstanding any other provision of law, the Secretary is authorized to accept any major renovation or modernization by any Indian tribe of any Service facility, or of any other Indian health facility operated pursuant to a contract entered into under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*), including—

**§ 1636 (Indian Health Care Improvement Act, § 306)**

**GRANT PROGRAM FOR THE CONSTRUCTION, EXPANSION, AND MODERNIZATION OF SMALL AMBULATORY CARE FACILITIES**

SEC. 306. (a)(1) \* \* \*

(2) A grant under paragraph (1) may only be made to a tribe or tribal organization operating an Indian health facility (other than a facility owned or constructed by the Service, including a facility originally owned or constructed by the Service and transferred to a tribe or tribal organization) pursuant to a contract entered into under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*).

(b)(1) A grant provided under this section may be used only for the construction, expansion, or modernization (including the planning and design of such construction, expansion, or modernization) of an ambulatory care facility—

\* \* \* \* \*

(C) which, upon completion of such construction, expansion, or modernization will—

\* \* \* \* \*

(iii) provide ambulatory care in a service area (specified in the contract entered into under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) with a population of not less than 2,000 eligible Indians.

**§ 1637(a)(1), (2), (f), (g) (Indian Health Care Improvement Act, § 307(a)(1), (2), (f), (g))**

**SEC. 307. INDIAN HEALTH CARE DELIVERY DEMONSTRATION PROJECTS.**

(a) PURPOSE AND GENERAL AUTHORITY.—

(1) PURPOSE.—The purpose of this section is to encourage the establishment of demonstration projects that meet the applicable criteria of this section to be carried out by the Secretary, acting through the Service, or Indian tribes or tribal organizations acting pursuant to contracts or compacts under the Indian Self Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*)—

\* \* \* \* \*

(2) AUTHORITY.—The Secretary, acting through the Service, is authorized to carry out, or to enter into contracts or compacts under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*) with Indian tribes or tribal organizations to carry out, health care delivery demonstration projects that—

\* \* \* \* \*

(f) EQUITABLE TREATMENT.—For purposes of subsection (c), the Secretary, in evaluating facilities operated under any contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*), shall use the same criteria that the Secretary uses in evaluating facilities operated directly by the Service.

(g) EQUITABLE INTEGRATION OF FACILITIES.—The Secretary shall ensure that the planning, design, construction, renovation, and expansion needs of Service and non-Service facilities that are the subject of a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*) for health services are fully and equitably integrated into the implementation of the health care delivery demonstration projects under this section.

**§ 1638a(a)(1) (Indian Health Care Improvement Act, § 309(a)(1))**

**SEC. 309. TRIBAL MANAGEMENT OF FEDERALLY OWNED QUARTERS.**

(a) RENTAL RATES.—

(1) ESTABLISHMENT.—Notwithstanding any other provision of law, a tribal health program that operates a hospital or other health facility and the federally owned quarters associated with such a facility pursuant to a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) may establish the rental rates charged to the occupants of those quarters, on providing notice to the Secretary.

**§ 1638e(a)(2)(B) (Indian Health Care Improvement Act, § 311(a)(2)(B))**

**SEC. 311. OTHER FUNDING, EQUIPMENT, AND SUPPLIES FOR FACILITIES.**

(a) AUTHORIZATION.—

\* \* \* \* \*

(2) AUTHORITY TO ACCEPT FUNDS.—The Secretary may—

\* \* \* \* \*

(B) use those funds, equipment, and supplies to plan, design, construct, and operate health care or sanitation facilities for Indians, including pursuant to a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1638f(d)(1) (Indian Health Care Improvement Act, § 312(d)(1))**

**SEC. 312. INDIAN COUNTRY MODULAR COMPONENT FACILITIES DEMONSTRATION PROGRAM.**

\* \* \* \* \*

(d) ELIGIBILITY.—

(1) IN GENERAL.—An Indian tribe may submit a petition under subsection (c)(1)(B) regardless of whether the Indian tribe is a party to any contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1641(d)(4) (Indian Health Care Improvement Act, § 401(d)(4))**

**SEC. 401. TREATMENT OF PAYMENTS UNDER SOCIAL SECURITY ACT HEALTH BENEFITS PROGRAMS.**

\* \* \* \* \*

(d) DIRECT BILLING.—

\* \* \* \* \*

(4) WITHDRAWAL FROM PROGRAM.—A tribal health program that bills directly under the program established under this subsection may withdraw from participation in the same manner and under the same conditions that an Indian tribe or tribal organization may retrocede a contracted program to the secretary under the authority of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.). All cost accounting and billing authority under the program established under this subsection shall be

returned to the Secretary upon the Secretary's acceptance of the withdrawal of participation in this program.

**§ 1642(a) (Indian Health Care Improvement Act, § 402(a))**

**SEC. 402. PURCHASING HEALTH CARE COVERAGE.**

(a) IN GENERAL.—Insofar as amounts are made available under law (including a provision of the Social Security Act, the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.)), or other law, other than under section 404) to Indian tribes, tribal organizations, and urban Indian organizations for health benefits for Service beneficiaries, Indian tribes, tribal organizations, and urban Indian organizations may use such amounts to purchase health benefits coverage (including coverage for a service, or service within a contract health service delivery area, or any portion of a contract health service delivery area that would otherwise be provided as a contract health service) for such beneficiaries in any manner, including through—

**§ 1647(b)(1)(B) (Indian Health Care Improvement Act, § 407(b)(1)(B))**

**SEC. 407. ELIGIBLE INDIAN VETERAN SERVICES.**

\* \* \* \* \*

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE INDIAN VETERAN.—The term “eligible Indian veteran” means an Indian or Alaska Native veteran who receives any medical service that is—

\* \* \* \* \*

(B) administered at a facility of the Service (including a facility operated by an Indian tribe or tribal organization through a contract or compact with the Service under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.)) pursuant to a local memorandum of understanding.

**§ 1660b(3) (Indian Health Care Improvement Act, § 512(3))**

**SEC. 512. TREATMENT OF CERTAIN DEMONSTRATION PROJECTS.**

Notwithstanding any other provision of law, the Tulsa Clinic and Oklahoma City Clinic demonstration projects shall—

\* \* \* \* \*

(3) continue to meet the requirements and definitions of an urban Indian organization in this Act, and shall not be subject to the provisions of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1660b note (Department of the Interior and Related Agencies Appropriations Act, 2005, title II)**

**ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE**

\* \* \* \* \*

Notwithstanding any other provision of law, the Tulsa and Oklahoma City Clinic demonstration projects shall be permanent programs under the direct care program of the Indian Health Service;

shall be treated as service units and operating units in the allocation of resources and coordination of care; shall continue to meet the requirements applicable to an Urban Indian organization under this title; and shall not be subject to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1661(c)(3)(E), (d)(2) (Indian Health Care Improvement Act, § 601(c)(3)(E), (d)(2))**

**SEC. 601. ESTABLISHMENT OF THE INDIAN HEALTH SERVICE AS AN AGENCY OF THE PUBLIC HEALTH SERVICE.**

\* \* \* \* \*

(c) DUTIES.—The Director shall—

\* \* \* \* \*

(3) administer all health programs under which health care is provided to Indians based upon their status as Indians which are administered by the Secretary, including programs under—

\* \* \* \* \*

(E) the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

\* \* \* \* \*

(d) AUTHORITY.—

\* \* \* \* \*

(2) PERSONNEL ACTIONS.—Notwithstanding any other provision of law, the provisions of section 12 of the Act of June 18, 1934 [(48 Stat. 986; 25 U.S.C. 472)] (48 Stat. 986; 25 U.S.C. 5116), shall apply to all personnel actions taken with respect to new positions created within the Service as a result of its establishment under subsection (a).

**§ 1662(b)(1) (Indian Health Care Improvement Act, § 602(b)(1))**

**AUTOMATED MANAGEMENT INFORMATION SYSTEM**

SEC. 602. (a)(1) \* \* \*

(b)(1) The Secretary shall provide each Indian tribe and tribal organization that provides health services under a contract entered into with the Service under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) automated management information systems which—

**§ 1665g (Indian Health Care Improvement Act, § 708)**

**SEC. 708. INDIAN YOUTH PROGRAM.**

(a) DETOXIFICATION AND REHABILITATION.—The Secretary, acting through the Service, consistent with section 702, shall develop and implement a program for acute detoxification and treatment for Indian youths, including behavioral health services. The program shall include regional treatment centers designed to include detoxification and rehabilitation for both sexes on a referral basis and programs developed and implemented by Indian tribes or tribal organizations at the local level under the Indian Self-Determination

and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.). Regional centers shall be integrated with the intake and rehabilitation programs based in the referring Indian community.

(b) ALCOHOL AND SUBSTANCE ABUSE TREATMENT CENTERS OR FACILITIES.—

\* \* \* \* \*

(4) SPECIFIC PROVISION OF FUNDS.—

(A) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may, from amounts authorized to be appropriated for the purposes of carrying out this section, make funds available to—

\* \* \* \* \*

(ii) the Southeast Alaska Regional Health Corporation to staff and operate a residential youth treatment facility without regard to the proviso set forth in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

#### **§ 1680a (Indian Health Care Improvement Act, § 811)**

##### **CONTRACT HEALTH FACILITIES**

SEC. 811. The Service shall provide funds for health care programs and facilities operated by tribes and tribal organizations under contracts with the Service entered into under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.).—

#### **§ 1680c(c)(2), (e)(1), (2)(B) (Indian Health Care Improvement Act, § 813(c)(2), (e)(1), (2)(B))**

##### **SEC. 813. HEALTH SERVICES FOR INELIGIBLE PERSONS.**

\* \* \* \* \*

(c) HEALTH FACILITIES PROVIDING HEALTH SERVICES.—

\* \* \* \* \*

(2) ISDEAA PROGRAMS.—In the case of health facilities operated under a contract or compact entered into under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the governing body of the Indian tribe or tribal organization providing health services under such contract or compact is authorized to determine whether health services should be provided under such contract or compact to individuals who are not eligible for such health services under any other subsection of this section or under any other provision of law. In making such determinations, the governing body of the Indian tribe or tribal organization shall take into account the consideration described in paragraph (1)(B). Any services provided by the Indian tribe or tribal organization pursuant to a determination made under this subparagraph shall be deemed to be provided under the agreement entered into by the Indian tribe or tribal organization under the Indian Self-Determination and Education Assistance Act. The provisions of section 314 of Public Law 101–512 (104 Stat. 1959), as amended by section 308 of Public Law

103–138 (107 Stat. 1416), shall apply to any services provided by the Indian tribe or tribal organization pursuant to a determination made under this subparagraph.

\* \* \* \* \*

(e) HOSPITAL PRIVILEGES FOR PRACTITIONERS.—

(1) IN GENERAL.—Hospital privileges in health facilities operated and maintained by the Service or operated under a contract or compact pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) may be extended to non-Service health care practitioners who provide services to individuals described in subsection (a), (b), (c), or (d). Such non-Service health care practitioners may, as part of the privileging process, be designated as employees of the Federal Government for purposes of section 1346(b) and chapter 171 of title 28, United States Code (relating to Federal tort claims) only with respect to acts or omissions which occur in the course of providing services to eligible individuals as a part of the conditions under which such hospital privileges are extended.

(2) DEFINITION.—For purposes of this subsection, the term “non-Service health care practitioner” means a practitioner who is not—

(A) an employee of the Service; or

(B) an employee of an Indian tribe or tribal organization operating a contract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) or an individual who provides health care services pursuant to a personal services contract with such Indian tribe or tribal organization.

**§ 1680j (Indian Health Care Improvement Act, § 820)**

TRIBAL LEASING

SEC. 820. Indian tribes providing health care services pursuant to a contract entered into under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) may lease permanent structures for the purpose of providing such health care services without obtaining advance approval in appropriation Acts.

**§ 1680l(a) (Indian Health Care Improvement Act, § 822(a))**

**SEC. 822. SHARED SERVICES FOR LONG-TERM CARE.**

(a) LONG-TERM CARE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, acting through the Service, is authorized to provide directly, or enter into contracts or compacts under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) with Indian tribes or tribal organizations for, the delivery of long-term care (including health care services associated with long-term care) provided in a facility to Indians.

(2) INCLUSIONS.—Each agreement under paragraph (1) shall provide for the sharing of staff or other services between the Service or a tribal health program and a long-term care or related facility owned and operated (directly or through a con-

tract or compact under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) by the Indian tribe or tribal organization.

**§ 1680r(a) (Indian Health Care Improvement Act, § 828(a))**

**SEC. 828. TRIBAL HEALTH PROGRAM OPTION FOR COST SHARING.**

(a) IN GENERAL.—Nothing in this Act limits the ability of a tribal health program operating any health program, service, function, activity, or facility funded, in whole or part, by the Service through, or provided for in, a compact with the Service pursuant to title V of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 458aaa et seq.)] (25 U.S.C. 5381 et seq.) to charge an Indian for services provided by the tribal health program.

**§ 1680u (Indian Health Care Improvement Act, § 831)**

**SEC. 831. TRADITIONAL HEALTH CARE PRACTICES.**

Although the Secretary may promote traditional health care practices, consistent with the Service standards for the provision of health care, health promotion, and disease prevention under this Act, the United States is not liable for any provision of traditional health care practices pursuant to this Act that results in damage, injury, or death to a patient. Nothing in this subsection shall be construed to alter any liability or other obligation that the United States may otherwise have under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) or this Act.

**§ 1684(f) (Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, § 601(f))**

**SEC. 601. EMERGENCY PLAN FOR INDIAN SAFETY AND HEALTH.**

\* \* \* \* \*

(f) EMERGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Attorney General, the Secretary of the Interior, and the Secretary of Health and Human Services, in consultation with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)), shall jointly establish an emergency plan that addresses law enforcement, water, and health care needs of Indian tribes under which, for each of fiscal years 2010 through 2019, of amounts in the Fund—

(1) the Attorney General shall use—

\* \* \* \* \*

(D) 0.5 percent to provide assistance to—

(i) parties to cross-deputization or other cooperative agreements between State or local governments and Indian tribes (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (25 U.S.C. 5130)) carrying out law enforcement activities in Indian country; and

\* \* \* \* \*

(2) the Secretary of the Interior shall—



(A) deposit 15.5 percent in the public safety and justice account of the Bureau of Indian Affairs for use by the Office of Justice Services of the Bureau in providing law enforcement or detention services, directly or through contracts or compacts with Indian tribes under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.); and

(B) use not more than \$602,619,000 to implement requirements of Indian water settlement agreements that are approved by Congress (or the legislation to implement such an agreement) under which the United States shall plan, design, rehabilitate, or construct, or provide financial assistance for the planning, design, rehabilitation, or construction of, water supply or delivery infrastructure that will serve an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)); and

(3) the Secretary of Health and Human services, acting through the Director of the Indian Health Service, shall use 12.5 percent to provide, directly or through contracts or compacts with Indian tribes under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.)—

\* \* \* \* \*

(C) domestic and community sanitation facilities serving members of Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)) pursuant to section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a).

**§ 1685(b)(4), (6), (d)(2) (Agriculture Act of 2014, § 4033(b)(4), (6), (d)(2))**

**SEC. 4033. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.**

\* \* \* \* \*

(b) DEFINITIONS.—In this section:

\* \* \* \* \*

(4) INDIAN; INDIAN TRIBE.—The terms “Indian” and “Indian tribe” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

\* \* \* \* \*

(6) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

\* \* \* \* \*

(d) LIABILITY.—

\* \* \* \* \*

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) alters any liability or other obligation of the United States under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 1450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1809(b)(3) (Tribally Controlled Colleges and Universities Assistance Act of 1978, § 109(b)(3))**

**EFFECT ON OTHER PROGRAMS**

SEC. 109(a). \* \* \*

(b) \* \* \*

(3) No tribally controlled college or university for which a tribe has designated a portion of the funds appropriated for the tribe from funds appropriated under the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13) may be denied a contract for such promotion under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) (except as provided in that Act), or denied appropriate contract support to administer such portion of the appropriated funds.

**§ 1812(a)(2) (Tribally Controlled Colleges and Universities Assistance Act of 1978, § 112(a)(2))**

**REPORT ON FACILITIES**

SEC. 112. (a) The Secretary shall provide for the conduct of a study of facilities available for use by tribally controlled colleges or universities. Such study shall consider the condition of currently existing Bureau of Indian Affairs facilities which are vacant or underutilized and shall consider available alternatives for renovation, alteration, repair, and reconstruction of such facilities (including renovation, alteration, repair, and reconstruction necessary to bring such facilities into compliance with local building codes). Such study shall also identify the need for new construction. A report on the results of such study shall be submitted to the Congress not later than eighteen months after the date of enactment of this subsection. Such report shall also include an identification of property—

\* \* \* \* \*

(2) which is available for use by tribally controlled community colleges under section 202(a)(2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483(a)(2)) and under the Act of August 6, 1956 [(70 Stat. 1057; 25 U.S.C. 443a)] (70 Stat. 1057; 43 U.S.C. 1457 note).

**§ 1863(b), (c) (Tribally Controlled Colleges and Universities Assistance Act of 1978, § 503(b), (c))**

**SEC. 503. APPLICABILITY OF OTHER LAWS.**

\* \* \* \* \*

(b) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE.—Funds made available pursuant to this title shall be subject to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

(c) ELECTION TO RECEIVE.—A tribally controlled postsecondary career and technical institution selected for a fiscal year under section 502(b) may elect to receive funds pursuant to section 502 in accordance with an agreement between the tribally controlled postsecondary career and technical institution and the Secretary under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) if the agreement is in

existence on the date of enactment of the Higher Education Opportunity Act.

**§ 2001(b)(8)(D)(iv)(III), (E)(v) (Education Amendments Act of 1978, § 1121(b)(8)(D)(iv)(III), (E)(v))**

**SEC. 1121. ACCREDITATION FOR THE BASIC EDUCATION OF INDIAN CHILDREN IN BUREAU OF INDIAN AFFAIRS SCHOOLS.**

\* \* \* \* \*

**(b) ACCREDITATION.—**

\* \* \* \* \*

**(8) CORRECTIVE ACTION.—**

\* \* \* \* \*

**(D) FAILURE OF SCHOOL PLAN OF BUREAU-OPERATED SCHOOL.**—With respect to a Bureau-operated school that fails to be accredited at the end of the third full year immediately following the date that the school's plan was first in effect under paragraph (7), the Secretary may take one or more of the following corrective actions:

\* \* \* \* \*

**(iv)(I) \* \* \***

**(III)** Upon accreditation of the school, the secretary shall allow the tribe to continue to operate the school as a grant or contract school, or if the school is being controlled by an outside entity, provide the tribe with the option to assume operation of the school as a contract school, in accordance with the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*), or as a grant school in accordance with the Tribally Controlled Schools Act of 1988, at the beginning of the school year following the school year in which the school obtains accreditation. If the tribe declines, the Secretary may allow the outside entity, receiver, or trustee to continue the operation of the school or reassume control of the school.

**(E) FAILURE OF SCHOOL PLAN OF CONTRACT OR GRANT SCHOOL.—**

\* \* \* \* \*

**(v) RETROCEDE.**—Nothing in this subparagraph shall limit a tribe's right to retrocede operation of a school to the Secretary pursuant to section 105(e) of the Indian Self-Determination Act (25 U.S.C. 5324(e)) (with respect to a contract school) or section 5204(f) of the Tribally Controlled Schools Act of 1988 (with respect to a grant school).

**§ 2008(h) (Education Amendments Act of 1978, § 1128(h))**

**SEC. 1128. ADMINISTRATIVE COST GRANTS.**

\* \* \* \* \*

**(h) TREATMENT OF ENTITY OPERATING OTHER PROGRAMS.**—In applying this section and section 106 of the Indian Self-Determination

and Education Assistance Act (25 U.S.C. 5325) with respect to an Indian tribe or tribal organization that—

\* \* \* \* \*

**§ 2010 (Education Amendments Act of 1978, § 1130)**

**SEC. 1130. UNIFORM DIRECT FUNDING AND SUPPORT.**

\* \* \* \* \*

(c) **TRIBAL DIVISION OF EDUCATION, SELF-DETERMINATION GRANT AND CONTRACT FUNDS.**—The Secretary may approve applications for funding tribal divisions of education and developing tribal codes of education, from funds made available pursuant to section 103(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5322(a)).

\* \* \* \* \*

(e) **SUMMER PROGRAM OF ACADEMIC AND SUPPORT SERVICES.**—

\* \* \* \* \*

(2) **USE OF OTHER FUNDS.**—Notwithstanding any other provision of law, funds authorized under the Act of April 16, 1934 (25 U.S.C. 5342 *et seq.*), and this Act may be used to augment the services provided in each summer program at the option, and under the control, of the tribe or Indian controlled school receiving such funds.

**§ 2012(f)(2)(A) (Education Amendments Act of 1978, § 1132(f)(2)(A))**

**SEC. 1132. INDIAN EDUCATION PERSONNEL.**

\* \* \* \* \*

(f) **APPLICABILITY OF INDIAN PREFERENCE LAWS.**—

\* \* \* \* \*

(2) **DEFINITIONS.**—In this subsection:

(A) **INDIAN PREFERENCE LAWS.**—

(i) **IN GENERAL.**—The term “Indian preference laws” means section 12 of the Act of June 18, 1934 [(48 Stat. 986, chapter 576)] (48 Stat. 986, chapter 576; 25 U.S.C. 5116) or any other provision of law granting a preference to Indians in promotions and other personnel actions.

(ii) **EXCLUSION.**—The term “Indian preference laws” does not include section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)).

**§ 2020(g) (Education Amendments Act of 1978, § 1140(g))**

**SEC. 1140. TRIBAL DEPARTMENTS OR DIVISIONS OF EDUCATION.**

\* \* \* \* \*

(g) **TERMS, CONDITIONS, OR REQUIREMENTS.**—A tribe that receives a grant under this section shall comply with regulations relating to grants made under section 103(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5322(a)) that are in effect on the date that the tribal governing body submits the application for the grant under subsection (b). The Secretary shall

not impose any terms, conditions, or requirements on the provision of grants under this section that are not specified in this section.

**§ 2021(6) (Education Amendments Act of 1978, § 1141(6))**

**SEC. 1141. DEFINITIONS.**

For the purposes of this part, unless otherwise specified:

\* \* \* \* \*

(6) CONTRACT OR GRANT SCHOOL.—The term “contract or grant school” means an elementary school, secondary school, or dormitory that receives financial assistance for its operation under a contract, grant, or agreement with the Bureau under section 102, 103(a), or 208 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321, 5322(a), 5355), or under the Tribally Controlled Schools Act of 1988.

**§ 2108 (Indian Mineral Development Act of 1982, § 9)**

SEC. 9. Nothing in this Act shall impair any right of an Indian tribe organized under section 16 or 17 of the Act of June 18, 1934 [(48 Stat. 987)] (48 Stat. 987; 25 U.S.C. 5123, 5124), as amended, to develop their mineral resources as may be provided in any constitution or charter adopted by such tribe pursuant to that Act (25 U.S.C. 5101 et seq.).

**§ 2201(2)(B) (Indian Land Consolidation Act, § 202(2)(B))**

SEC. 202. For the purpose of this title—

\* \* \* \* \*

(2) “Indian” means—

\* \* \* \* \*

(B) any person meeting the definition of Indian under the Indian Reorganization Act [(25 U.S.C. 479)] (25 U.S.C. 5129) and the regulations promulgated thereunder; and

**§ 2202 (Indian Land Consolidation Act, § 203)**

SEC. 203. The provisions of section 5 of the Act of June 18, 1934 [(48 Stat. 985)] (48 Stat. 985; 25 U.S.C. 5108), shall apply to all tribes notwithstanding the provisions of section 18 of such Act (25 U.S.C. 5125): Provided, That nothing in this section is intended to supersede any other provision of Federal law which authorizes, prohibits, or restricts the acquisition of land for Indians with respect to any specific tribe, reservation, or state(s).

**§ 2206(b)(2)(B) (Indian Land Consolidation Act, § 207(b)(2)(B))**

**SEC. 207. DESCENT AND DISTRIBUTION.**

\* \* \* \* \*

(b) TESTAMENTARY DISPOSITION.—

\* \* \* \* \*

(2) DEVISE OF TRUST OR RESTRICTED LAND AS A LIFE ESTATE OR IN FEE.—

\* \* \* \* \*

(B) INDIAN REORGANIZATION ACT LANDS.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), any interest,” in trust or restricted land that is subject to section 4 of the Act of June 18, 1934 [(25 U.S.C. 464)] (25 U.S.C. 5107), may be devised only in accordance with—

\* \* \* \* \*

(iii) EFFECT.—Except as provided in clause (ii), nothing; and in this section or in section 4 of the Act of June 18, 1934 [(25 U.S.C. 464)] (25 U.S.C. 5107), shall be construed to authorize the devise of any interest in trust or restricted land that is subject to section 4 of that Act to any person as a fee interest under subparagraph (A)(ii).

**§ 2212(c)(1)(B) (Indian Land Consolidation Act, § 213(c)(1)(B))**

**SEC. 213. FRACTIONAL INTEREST ACQUISITION PROGRAM.**

\* \* \* \* \*

(c) SALE OF INTEREST TO INDIAN LANDOWNERS.—

(1) CONVEYANCE AT REQUEST.—

\* \* \* \* \*

(B) LIMITATION.—With respect to a conveyance under this subsection, the Secretary shall not approve an application to terminate the trust status or remove the restrictions of such an interest unless the interest is subject to a foreclosure of a mortgage in accordance with the Act of March 29, 1956 [(25 U.S.C. 483a)] (25 U.S.C. 5135).

**§ 2213(b)(2)(B) (Indian Land Consolidation Act, § 214(b)(2)(B))**

**SEC. 214. ADMINISTRATION OF ACQUIRED FRACTIONAL INTERESTS, DISPOSITION OF PROCEEDS.**

\* \* \* \* \*

(b) APPLICATION OF REVENUE FROM ACQUIRED INTERESTS TO LAND CONSOLIDATION PROGRAM.—

\* \* \* \* \*

(2) REQUIREMENTS.—

\* \* \* \* \*

(B) APPROVAL OF TRANSACTIONS.—Notwithstanding section 16 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) [(25 U.S.C. 476)] (25 U.S.C. 5123), or any other provision of law, until the Secretary removes a lien from an interest in land under paragraph (1), the Secretary may approve a transaction covered under this section on behalf of an Indian tribe.

**§ 2403(5) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4204(5))**

**SEC. 4204. DEFINITIONS.**

For purposes of this subtitle—

\* \* \* \* \*

(5) The term “service unit” means an administrative entity within the Indian Health Service or a tribe or tribal organization operating health care programs or facilities with funds from the Indian Health Service under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) through which the services are provided, directly or by contract, to the eligible Indian population within a defined geographic area.

**§ 2411(b) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4205(b))**

**SEC. 4205. INTER DEPARTMENTAL MEMORANDUM OF AGREEMENT.**

\* \* \* \* \*

(b) CHARACTER OF ACTIVITIES.—To the extent that there are new activities undertaken pursuant to this subtitle, those activities shall supplement, not supplant, activities, programs, and local actions that are ongoing on the date of the enactment of this subtitle. Such activities shall be undertaken in the manner least disruptive to tribal control, in accordance with the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*), and local control, in accordance with section 1130 of the Education Amendments of 1978 (25 U.S.C. 2010).

**§ 2415 note (Indian Health Care Amendments of 1990, § 509(c))**

**SEC. 509. ALASKA RESIDENTIAL YOUTH TREATMENT CENTER.**

\* \* \* \* \*

(c) SELF DETERMINATION CONTRACTS FOR STAFFING AND OPERATION.—The Secretary of Health and Human Service, acting under section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321), may contract with the Tanana Chiefs conference to staff and operate the facilities leased under subsection (b), without a request of an Indian tribe, and without regard to the definition and proviso in section 4(l) of that Act (25 U.S.C. 5304(l)).

**§ 2432(b)(1) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4212(b)(1))**

**SEC. 4212. INDIAN EDUCATION PROGRAMS.**

\* \* \* \* \*

(b) USE OF FUNDS.—Federal financial assistance made available to public or private schools because of the enrollment of Indian children pursuant to—

(1) the Act of April 16, 1934, as amended by the Indian Education Assistance Act [(25 U.S.C. 452 *et seq.*)] (25 U.S.C. 5342 *et seq.*),

**§ 2433(e)(3), (5)(A) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4213(e)(3), (5)(A))**

**SEC. 4213. EMERGENCY SHELTERS.**

\* \* \* \* \*

## (e) AUTHORIZATION.—

\* \* \* \* \*

(3) The Secretary of the Interior shall allocate funds appropriated pursuant to this subsection on the basis of priority of need of the various Indian tribes and such funds, when allocated, shall be subject to contracting or available for grants pursuant to the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*).

\* \* \* \* \*

(5) Nothing in this Act may be construed—

(A) to limit the authority for contracts with, or grants to, Indian tribes or tribal organizations under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) for the construction, improvement, renovation, operation, repair, land acquisition, or maintenance of tribal juvenile detention facilities, emergency shelters, or half-way houses, or

**§ 2434(a) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4214(a))**

**SEC. 4214. SOCIAL SERVICES REPORTS.**

(a) DATA.—The Secretary of the Interior, with respect to the administration of any family or social services program by the Bureau of Indian Affairs directly or through contracts under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*), shall require the compilation of data relating to the number and types of child abuse and neglect cases seen and the type of assistance provided. Additionally, such data should also be categorized to reflect those cases that involve, or appear to involve, alcohol and substance abuse, those cases which are recurring, and those cases which involve other minor siblings.

**§ 2442(b)(1) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4216(b)(1))**

**SEC. 4216. ILLEGAL NARCOTICS TRAFFIC ON THE TOHONO O'ODHAM AND ST. REGIS RESERVATIONS: SOURCE ERADICATION.**

\* \* \* \* \*

(b)(1) MARIJUANA ERADICATION AND INTERDICTION.—The Secretary of the Interior, in cooperation with appropriate Federal, tribal, and State and local law enforcement agencies, shall establish and implement a program for the eradication of marijuana cultivation, and interdiction, investigation, and control of illegal narcotics trafficking within Indian country as defined in section 1152 of title 18, United States Code. The Secretary shall establish a priority for the use of funds appropriated under paragraph (2) for those Indian reservations where the scope of the problem is most critical, and such funds shall be available for contracting by Indian tribes pursuant to the Indian Self-Determination Act [25 U.S.C. 450f *et seq.*] (25 U.S.C. 5321 *et seq.*).



**§ 2455(a) (Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986, § 4222(a))**

**SEC. 4222. LAW ENFORCEMENT AND JUDICIAL REPORT.**

(a) **COMPILATION OF LAW ENFORCEMENT DATA.**—The Secretary of the Interior, with respect to the administration of any law enforcement or judicial services program by the Bureau of Indian Affairs, either directly or through contracts under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*), shall require the compilation of data relating to calls and encounters, arrests and detentions, and disposition of cases by Bureau of Indian Affairs or tribal law enforcement or judicial personnel involving Indians where it is determined that alcohol or substance abuse is a contributing factor.

**§ 2501 note (Department of the Interior and Related Agencies Appropriations Act, 2003, § 122(a)(2), (c)(1))**

**SEC. 122. TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM.**

(a) **DEFINITIONS.**—In this section:

\* \* \* \* \*

(2) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

(c) **EFFECT OF GRANT.**—(1) Except as provided in paragraph (2) of this subsection, A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 *et seq.*) or the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5301 *et seq.*).

**§ 2503(a)(2) (Tribally Controlled Schools Act of 1988, § 5204(a)(2))**

**SEC. 5204. COMPOSITION OF GRANTS.**

(a) **IN GENERAL.**—The grant provided under this part to an Indian tribe or tribal organization for any fiscal year shall consist of—

\* \* \* \* \*

(2) to the extent requested by such Indian tribe or tribal organization, the total amount of funds provided from operations and maintenance accounts and, notwithstanding section 105 of the Indian Self-Determination Act (25 U.S.C. 5324), or any other provision of law, other facilities accounts for such schools for such fiscal year (including but not limited to those referenced under section 1126(d) of the Education Amendments of 1978 of any other law); and

**§ 2507(a) (Tribally Controlled Schools Act of 1988, § 5208(a))**

**SEC. 5208. APPLICATION WITH RESPECT TO INDIAN SELF DETERMINATION AND EDUCATION ASSISTANCE ACT.**

(a) CERTAIN PROVISIONS TO APPLY TO GRANTS.—The following provisions of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 *et seq.*) (and any subsequent revisions thereto or renumbering thereof), shall apply to grants provided under this part:

(1) Section 5(f) (25 U.S.C. 5305(f)) (relating to single agency audit).

(2) Section 6 (25 U.S.C. 5306) (relating to criminal activities; penalties).

(3) Section 7 (25 U.S.C. 5307) (relating to wage and labor standards).

(4) Section 105 (25 U.S.C. 5323) (relating to retention of Federal employee coverage).

(5) Section 105(f) (25 U.S.C. 5324(f)) (relating to Federal property).

(6) Section 105(k) (25 U.S.C. 5324(k)) (relating to access to Federal sources of supply).

(7) Section 105(l) (25 U.S.C. 5324(l)) (relating to lease of facility used for administration and delivery of services).

(8) Section 106(f) (25 U.S.C. 5325(f)) (relating to limitation on remedies relating to cost allowances).

(9) Section 106(j) (25 U.S.C. 5325(j)) (relating to use of funds for matching or cost participation requirements).

(10) Section 106(k) (25 U.S.C. 5325(k)) (relating to allowable uses of funds).

(11) [Section 108(c) (Model Agreements provisions (1)(a)(5) (relating to limitations of costs), (1)(a)(7) (relating to records and monitoring), (1)(a)(8) (relating to property), and (a)(1)(9) (relating to availability of funds).] *Section 108(c) (25 U.S.C. 5329(c)) (model agreement provisions (1)(b)(5) (relating to limitation of costs), (1)(b)(7) (relating to records and monitoring), (1)(b)(8) (relating to property), and (1)(b)(9) (relating to availability of funds)).*

(12) Section 109 (25 U.S.C. 5330) (relating to reassumption).

(13) Section 111 (25 U.S.C. 5332) (relating to sovereign immunity and trusteeship rights unaffected).

**§ 2719(b)(3) (Indian Gaming Regulatory Act, § 20(b)(3))**

**GAMING ON LANDS ACQUIRED AFTER ENACTMENT OF THIS ACT**

SEC. 20. (a) \* \* \*

(b)(1) \* \* \*

(3) Upon request of the governing body of the Miccosukee Tribe of Indians of Florida, the Secretary shall, notwithstanding any other provision of law, accept the transfer by such Tribe to the Secretary of the interests of such Tribe in the lands described in paragraph (2)(B) and the Secretary shall declare that such interests are held in trust by the Secretary for the benefit of such Tribe and that such interests are part of the reservation of such Tribe under sections 5 and 7 of the Act of June 18, 1934 [(48 Stat. 985; 25 U.S.C. 465, 467)] (48 Stat. 985; 25 U.S.C. 5108, 5110), subject to any en-

cumbrances and rights that are held at the time of such transfer by any person or entity other than such Tribe. The Secretary shall publish in the Federal Register the legal description of any lands that are declared held in trust by the Secretary under this paragraph.

**§ 2801 note (Tribal Law and Order Act of 2010, § 203(a)(2))**

**SEC. 203. DEFINITIONS.**

(a) IN GENERAL.—In this title:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (25 U.S.C. 5130).

**§ 2802(e)(4)(B) (Indian Law Enforcement Reform Act, § 3(e)(4)(B))**

INDIAN LAW ENFORCEMENT RESPONSIBILITIES

SEC. 3. (a) \* \* \*

(e) STANDARDS OF EDUCATION AND EXPERIENCE AND CLASSIFICATION OF POSITIONS.—

\* \* \* \* \*

(4) BACKGROUND CHECKS FOR TRIBAL JUSTICE OFFICIALS.—

\* \* \* \* \*

(B) TIMING.—If a request for a background check is made by an Indian tribe that has contracted or entered into a compact for law enforcement or corrections services with the Bureau of Indian Affairs pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the Office of Justice Services shall complete the check not later than 60 days after the date of receipt of the request, unless an adequate reason for failure to respond by that date is provided to the Indian tribe in writing.

**§ 2804(g)(2) (Indian Law Enforcement Reform Act, § 5(g)(2))**

ASSISTANCE BY OTHER AGENCIES

SEC. 5. (a) \* \* \*

(g) ACCEPTANCE OF ASSISTANCE.—The Bureau may accept reimbursement, resources, assistance, or funding from—

- (1) a Federal, tribal, State, or other government agency; or
- (2) the Indian Law Enforcement Foundation established under [section 701(a) of the Indian Self-Determination and Education Assistance Act] *section 702(a) of the Indian Self-Determination and Education Assistance Act* (25 U.S.C. 5412(a)).

**§ 2805 (Indian Law Enforcement Reform Act, § 6)**

REGULATIONS

SEC. 6. After consultation with the Attorney General of the United States, the Secretary may prescribe under this Act regula-

tions relating to the enforcement of criminal laws of the United States and regulations relating to the consideration of applications for contracts awarded under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) to perform the functions of the Branch of Criminal Investigations.

**§ 2902(5) (Native American Languages Act, § 103(5))**

DEFINITIONS

SEC. 103. For purposes of this title—

\* \* \* \* \*

(5) The terms “Indian tribe” and “tribal organization” have the respective meaning given to each of such terms under section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3052(5) (Food, Conservation, and Energy Act of 2008, § 8102(5))**

SEC. 8102. DEFINITIONS.

In this subtitle:

\* \* \* \* \*

(5) INDIAN TRIBE.—the term “Indian tribe” means any Indian or Alaska Native tribe, band, nation, pueblo, village, or other community the name of which is included on a list published by the Secretary of the Interior pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a–1)] (25 U.S.C. 5131).

**§ 3104(a) (National Indian Forest Resources Management Act, § 305(a))**

SEC. 305. MANAGEMENT OF INDIAN FOREST LAND.

(a) MANAGEMENT ACTIVITIES.—The Secretary shall undertake forest land management activities on Indian forest land, either directly or through contracts, cooperative agreements, or grants under the Indian Self-Determination Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5321 *et seq.*).

**§ 3112(b) (National Indian Forest Resources Management Act, § 313(b))**

SEC. 313. ALASKA NATIVE TECHNICAL ASSISTANCE PROGRAM.

\* \* \* \* \*

(b) INDIAN SELF-DETERMINATION ACT.—The technical assistance to be provided by the Secretary pursuant to subsection (a) shall be made available through contracts, grants or agreements entered into in accordance with, and made available to entities eligible for, such contracts, grants, or agreements under the Indian Self-Determination Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 5321 *et seq.*).

**§ 3113(c)(2)(B) (National Indian Forest Resources Management Act, § 314(c)(2)(B))**

SEC. 314. ESTABLISHMENT OF INDIAN AND ALASKA NATIVE FORESTRY EDUCATION ASSISTANCE.

\* \* \* \* \*

(c) SCHOLARSHIP PROGRAM.—(1) \* \* \*

(2) A recipient of a scholarship under paragraph (1) shall be required to enter into an obligated service agreement with the Secretary in which the recipient agrees to accept employment for one year for each year the recipient received a scholarship, following completion of the recipient's forestry or forestry-related course of study, with

\* \* \* \* \*

(B) a forestry program conducted under a contract, grant, or cooperative agreement entered into under the Indian Self-Determination Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5321 et seq.);

**§ 3115a(a)(3) (Tribal Forest Protection Act of 2004, § 2(a)(3))**

**SEC. 2. TRIBAL FOREST ASSETS PROTECTION.**

(a) DEFINITIONS.—In this section:

\* \* \* \* \*

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3202(10) (Indian Child Protection and Family Violence Prevention Act, § 403(10))**

**SEC. 403. DEFINITIONS.**

For the purposes of this title, the term—

\* \* \* \* \*

(10) “Indian tribe” and “tribal organization” have the respective meanings given to each of such terms under section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304);

**§ 3209(g) (Indian Child Protection and Family Violence Prevention Act, § 410(g))**

**SEC. 410. INDIAN CHILD RESOURCE AND FAMILY SERVICES CENTERS.**

\* \* \* \* \*

(g) APPLICATION OF THE INDIAN SELF-DETERMINATION ACT TO CENTERS.—Indian Child Resource and Family Services Centers established under subsection (a) shall be subject to the provisions of the Indian Self-Determination Act (25 U.S.C. 5321 et seq.). \* \* \*

**§ 3210(b) (Indian Child Protection and Family Violence Prevention Act, § 411(b))**

**SEC. 411. INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION PROGRAM.**

\* \* \* \* \*

(b) INDIAN SELF-DETERMINATION ACT AGREEMENTS.—The Secretary is authorized to enter into agreements with Indian tribes, tribal organizations, or inter-tribal consortia pursuant to the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) for the establishment of Indian Child Protection and Family Violence Prevention programs on Indian reservations.

**§ 3307(c), (e), (f)(2) (Higher Education Tribal Grant Authorization Act, § 1317(c), (e), (f)(2))**

**SEC. 1317. ADMINISTRATIVE PROVISIONS.**

\* \* \* \* \*

(c) APPLICATION OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—All provisions of sections 5, 6, 7, 105, 109, and 110 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450c et seq.)] (25 U.S.C. 5305, 5306, 5307, 5324, 5330, 5331), except those provisions pertaining to indirect costs and length of contract, shall apply to grants provided under this part.

\* \* \* \* \*

(e) RETROCESSION.—Whenever an Indian tribe requests retrocession of any program for which assistance is provided under this part, such retrocession shall become effective upon a date specified by the Secretary not more than 120 days after the date on which the tribe requests the retrocession, or such later date as may be mutually agreed upon by the Secretary and the tribe. If such a program is retroceded, the Secretary shall provide to any Indian tribe served by such program at least the same quantity and quality of services that would have been provided under such program at the level of funding provided under this part prior to the retrocession. The tribal governing body requesting the retrocession shall specify whether the retrocession shall be to a contract administered by the tribe, or a tribal entity, under the authority of the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) or to a Bureau administered program.

(f) DEFINITIONS.—For the purposes of this part:

- (1) The term “Secretary” means the Secretary of the Interior.
- (2) The terms “Indian” and “Indian tribe” have the same meaning given those terms in [sections 4(d) and (e), respectively, of the Indian Self Determination and Education Assistance Act (P.L. 93–638, 20 U.S.C. 450b)] *subsections (d) and (e), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 5304(d), (e)).*

**§ 3322(3) (Critical Needs for Tribal Development Act, § 1322(3))**

**SEC. 1322. DEFINITIONS.**

As used in this part:

- \* \* \* \* \*
- (3) The term “Indian” has the meaning given such term in section 4(d) of the Indian Self Determination and Education Assistance Act [(Public Law 93–638, 20 U.S.C. 450b)] *(Public Law 93–638, 25 U.S.C. 5304(d)).*

**§ 3402(3) (Indian Employment, Training and Related Services Demonstration Act of 1992, § 3(3))**

**SEC. 3. DEFINITIONS.**

For the purposes of this Act, the following definitions apply:

\* \* \* \* \*

(3) INDIAN.—The term “Indian” shall have the meaning given such term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(d)).

**§ 3501(4)(A) (Energy Policy Act of 1992, § 2601(4)(A))**

**SEC. 2601. DEFINITIONS.**

In this title:

\* \* \* \* \*

(4)(A) The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3602(7) (Indian Tribal Justice Act, § 3(7))**

**SEC. 3. DEFINITIONS.**

For purposes of this Act:

\* \* \* \* \*

(7) The term “tribal organization” means any organization defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l)).

**§ 3803(h) (Indian Dams Safety Act of 1994, § 4(h))**

**SEC. 4. DAM SAFETY MAINTENANCE AND REPAIR PROGRAM.**

\* \* \* \* \*

(h) CONTRACT AUTHORITY.—In addition to any other authority established by law, the Secretary is authorized to contract with Indian tribes under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) to carry out the Dam Safety Maintenance and Repair Program established under this Act.

**§ 3905(a) (Indian Lands Open Dump Cleanup Act of 1994, § 6(a))**

**SEC. 6. CONTRACT AUTHORITY.**

(a) AUTHORITY OF DIRECTOR.— To the maximum extent feasible, the Director shall carry out duties under this chapter through contracts, compacts, or memoranda of agreement with Indian tribal governments or Alaska Native entities pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), or section 302 of the Indian Health Care Improvement Act (25 U.S.C. 1632).

**§ 4101(7) (Native American Housing Assistance and Self-Determination Act of 1996, § 2(7))**

**SEC. 2. CONGRESSIONAL FINDINGS**

The Congress finds that—

(7) Federal assistance to meet these responsibilities shall be provided in a manner that recognizes the right of Indian self-determination and tribal self-governance by making such assistance available directly to the Indian tribes or tribally designated entities under authorities similar to those accorded Indian tribes in Public Law 93–638 [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 4103(13)(B) (Native American Housing Assistance and Self-Determination Act of 1996, § 4(13)(B))**

**SEC. 4. DEFINITIONS.**

For purposes of this Act, the following definitions shall apply:

\* \* \* \* \*

(13) INDIAN TRIBE.—

\* \* \* \* \*

(B) **FEDERALLY RECOGNIZED TRIBE.**—The term “federally recognized tribe” means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 4132(8)(A) (Native American Housing Assistance and Self-Determination Act of 1996, § 202(8)(A))**

**SEC. 202. ELIGIBLE AFFORDABLE HOUSING ACTIVITIES.**

Affordable housing activities under this title are activities, in accordance with the requirements of this title, to develop, operate, maintain, or support affordable housing for rental or homeownership, or to provide housing services with respect to affordable housing, through the following activities:

\* \* \* \* \*

(8) **SELF-DETERMINATION ACT DEMONSTRATION PROJECT.**—

(A) **IN GENERAL.**—Consistent with the provisions of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the Secretary shall conduct and submit to Congress a study of the feasibility of establishing a demonstration project in which Indian tribes and tribal organizations are authorized to receive assistance in a manner that maximizes tribal authority and decision-making in the design and implementation of Federal housing and related activity funding.

**§ 4301 note (Indian Tribal Regulatory Reform and Business Development Act of 2000, § 3(3), (5), (7))**

**SEC. 3. DEFINITIONS.**

In this Act:

\* \* \* \* \*

(3) **INDIAN.**—The term “Indian” has the meaning given that term in section 4(d) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(d))] (25 U.S.C. 5304(d)).

\* \* \* \* \*

(5) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determina-



tion and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

(7) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

**§ 4302(2), (3), (5)(B)(i), (7), (10), (11) (Native American Business Development, Trade Promotion, and Tourism Act of 2000, § 3(2), (3), (5)(B)(i), (7), (10), (11))**

**SEC. 3. DEFINITIONS.**

In this Act:

\* \* \* \* \*

(2) ELIGIBLE ENTITY.—The term “eligible entity” means an Indian [tribe] *Tribe* or Tribal organization, an Indian arts and crafts organization, as that term is defined in section 305a of this title, a Tribal enterprise, a Tribal marketing cooperative (as that term is defined by the Secretary, in consultation with the Secretary of the Interior), or any other Indian-owned business.

(3) INDIAN.—The term “Indian” has the meaning given that term in section 4(d) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(d))] (25 U.S.C. 5304(d)).

\* \* \* \* \*

(5) INDIAN LANDS.—

\* \* \* \* \*

(B) FORMER INDIAN RESERVATIONS IN OKLAHOMA.—For purposes of applying section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d)) under subparagraph (A)(ii), the term “former Indian reservations in Oklahoma” shall be construed to include lands that are—

(i) within the jurisdictional areas of an Oklahoma Indian [tribe] *Tribe* (as determined by the Secretary of the Interior); and

\* \* \* \* \*

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

(10) TRIBAL ENTERPRISE.—The term “tribal enterprise” means a commercial activity or business managed or controlled by an Indian [tribe] *Tribe*.

\* \* \* \* \*

(11) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

**§ 4352(2), (4) (Native American Tourism and Improving Visitor Experience Act, § 3(2), (4))**

**SEC. 3. DEFINITIONS.**

In this Act:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

\* \* \* \* \*

(4) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 5103 note (Act of May 27, 1955, ch. 106, § 1)**

That the provisions with respect to subjection of mineral lands within the Papago Indian Reservation to exploration, location, and entry under the mining laws of the United States in the Executive order dated February 1, 1917, creating the Papago Indian Reservation, and in the third proviso in section 1 of the Act of February 21, 1931 (46 Stat. 1202), and the provisions of subsection (b)(1) and (2) and of the remainder, following the word “purposes,” of subsection (b)(4) of section 3 of the Act of June 18, 1934 [(48 Stat. 984; 25 U.S.C. 461–479)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), as amended by the [Act of August 26, 1937 (50 Stat. 862, 863; 25 U.S.C. 463)] Act of August 28, 1937 (50 Stat. 862, 863; 25 U.S.C. 5103), are hereby repealed, all tribal lands within the Papago Indian Reservation are hereby withdrawn from all forms of exploration, location, and entry under such laws, the minerals underlying such lands are hereby made a part of the reservation to be held in trust by the United States for the Papago Indian Tribe, and such minerals shall be subject to lease for mining purposes pursuant to the provisions of the Act of May 11, 1938 (52 Stat. 347): Provided, That the provisions of this Act shall not be applicable to lands within the Papago Indian Reservation for which a mineral patent has heretofore been issued or to a claim that has been validly initiated before the date of this Act and thereafter maintained under the mining laws of the United States.

**§ 5106 (Act of August 10, 1939, ch. 662, § 4)**

Sec. 4. For the purpose of carrying into effect the land-purchase provision of this Act, the Secretary of the Interior is hereby authorized to use so much as may be necessary of any funds heretofore or hereafter appropriated pursuant to section 5 of the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 985; 25 U.S.C. 5108).

**§ 5108 (Act of June 18, 1934, ch. 576, § 5)**

Sec. 5. \* \* \*

Title to any lands or rights acquired pursuant to this Act or the Act of July 28, 1955 (69 Stat. 392), as amended [(25 U.S.C. 608 et seq.)] shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired,

and such lands or rights shall be exempt from State and local taxation.

**§ 5117(e)(2) (Public Law 96-135, § 2(e)(2))**

Sec. 2. (a) \* \* \*

(e) For purposes of this section—

\* \* \* \* \*

(2) The term “Indian preference laws” means section 12 of the Act of June 18, 1934 [(25 U.S.C. 472; 48 Stat. 986)] (25 U.S.C. 5116; 48 Stat. 986) or any other provision of law granting a preference to Indians in promotions and other personnel actions.

**§ 5119 (Act of May 1, 1936, ch. 254, § 1)**

That sections 1, 5, 7, 8, 15, 17, and 19 of this Act entitled “An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes”, approved June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101, 5108, 5110, 5111, 5121, 5124, 5129), shall hereafter apply to the Territory of Alaska: Provided, That groups of Indians in Alaska not heretofore recognized as bands or tribes, but having a common bond of occupation, or association, or residence within a well-defined neighborhood, community, or rural district, may organize to adopt constitutions and by-laws and to receive charters of incorporation and Federal loans undersections 16, 17, and 10 of the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5123, 5124, 5113).

**§ 5122 (Act of August 12, 1935, ch. 508, § 2)**

Sec. 2. In all suits now pending in the United States Court of Federal Claims by an Indian tribe or band which have not been tried or submitted, and in any suit hereafter filed in the United States Court of Federal Claims by any such tribe or band, the United States Court of Federal Claims is hereby directed to consider and to offset against any amount found due the said tribe or band all sums expended gratuitously by the United States for the benefit of the said tribe or band; and in all cases now pending or hereafter filed in the United States Court of Federal Claims in which an Indian tribe or band is party plaintiff, wherein the duty of the court is merely to report its findings of fact and conclusions to Congress, the said United States Court of Federal Claims is hereby directed to include in its report a statement of the amount of money which has been expended by the United States gratuitously for the benefit of the said tribe or band: Provided, That expenditures made prior to the date of the law, treaty, agreement, or Executive order under which the claims arise shall not be offset against the claims or claim asserted; and expenditures under the Act of June 18, 1934 [(48 Stat. L. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), except expenditures under appropriations made pursuant to section 5 of such Act (25 U.S.C. 5108), shall not be charged as offsets against any claim on behalf of an Indian tribe

or tribes now pending in the United States Court of Federal Claims or hereafter filed: \* \* \*

**§ 5123(f) (Act of June 18, 1934, known as the Indian Reorganization Act, ch. 576, § 16(f))**

Sec. 16. (a) \* \* \*

(f) PRIVILEGES AND IMMUNITIES OF INDIAN TRIBES; PROHIBITION ON NEW REGULATIONS.— Departments or agencies of the United States shall not promulgate any regulation or make any decision or determination pursuant to the Act of June 18, 1934 [(25 U.S.C. 461 et seq., 48 Stat. 984)] (48 Stat. 984) as amended, or any other Act of Congress, with respect to a federally recognized Indian tribe that classifies, enhances, or diminishes the privileges and immunities available to the Indian tribe relative to other federally recognized tribes by virtue of their status as Indian tribes.

**§ 5126 (Public Law 101–301, § 3(a))**

Sec. 3. (a) Notwithstanding section 18 of the Act of June 18, 1934 [(48 Stat. 988; 25 U.S.C. 478)] (48 Stat. 988; 25 U.S.C. 5125), section 2 and 17 of that Act [(25 U.S.C. 462 and 477)] (25 U.S.C. 5102, 5124) shall apply to—

**§ 5127 (June 15, 1935, ch. 260, § 1)**

That in any election heretofore or hereafter held under the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), on the question of excluding a reservation from the application of the said Act or on the question of adopting a constitution and bylaws or amendments thereto or on the question of ratifying a charter, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate such exclusion, adoption, or ratification, as the case may be: Provided, however, That in each instance the total vote cast shall not be less than 30 per centum of those entitled to vote.

**§ 5128 (June 15, 1935, ch. 260, § 4)**

SEC. 4. All laws, general and special, and all treaty provisions affecting any Indian reservation which has voted or may vote to exclude itself from the application of the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), shall be deemed to have been continuously effective as to such reservation, notwithstanding the passage of said Act of June 18, 1934. Nothing in the Act of June 18, 1934, shall be construed to abrogate or impair any rights guaranteed under any existing treaty with any Indian tribe, where such tribe voted not to exclude itself from the application of said Act.

**§ 5132 (Interior Department Appropriation Act, 1940, ch. 119, § 1)**

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

\* \* \* \* \*

*Provided*, That hereafter no individual of less than one-quarter degree of Indian blood shall be eligible for a loan from funds made available in accordance with the provisions of the Act of June 18,

1934 [(48 Stat. 986)] (*48 Stat. 986; 25 U.S.C. 5101 et seq.*), and the Act of June 26, 1936 (49 Stat. 1967).

**§ 5133 (Act of May 7, 1948, ch. 266)**

That the Secretary of the Interior, or his designated representative, is hereby authorized, under such regulations as the Secretary may prescribe, to make loans from the revolving fund established pursuant to the Act of June 18, 1934 [(48 Stat. 984)] (*48 Stat. 984; 25 U.S.C. 5101 et seq.*), and June 26, 1936 (49 Stat. 1967), to tribes, bands, groups, and individual Indians, not otherwise eligible for loans under the said Acts: Provided, That no portion of these funds shall be loaned to Indians of less than one-quarter Indian blood.

**§ 5134 (Act of May 14, 1948, ch. 293)**

That the Secretary of the Interior, or his duly authorized representative, is hereby authorized in his discretion, and upon application of the Indian owners, to issue patents in fee, to remove restrictions against alienation, and to approve conveyances, with respect to lands or interests in lands held by individual Indians under the provisions of the Act of June 18, 1934 [(48 Stat. 984)] (*48 Stat. 984; 25 U.S.C. 5101 et seq.*), or the Act of June 26, 1936 (49 Stat. 1967).

**§ 5136 (Public Law 91–229, § 1)**

**SECTION 1. LOANS TO PURCHASERS OF HIGHLY FRACTIONED LAND.**

(a) IN GENERAL.—The Secretary of Agriculture is authorized to make direct loans in a manner consistent with direct loans pursuant to subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.), to any Indian tribe recognized by the Secretary of the Interior or tribal corporation established pursuant to the Indian Reorganization Act [(25 U.S.C. 477)] (*25 U.S.C. 5124*), which does not have adequate uncommitted funds, to acquire lands or interests therein within the tribe's reservation as determined by the Secretary of the Interior, or within a community in Alaska incorporated by the Secretary pursuant to the Indian Reorganization Act (*25 U.S.C. 5101 et seq.*), for use of the tribe or the corporation or the members of either. Such loans shall be limited to such Indian tribes or tribal corporations as have reasonable prospects of success in their proposed operations and as are unable to obtain sufficient credit elsewhere at reasonable rates and terms to finance the purposes authorized in this Act.

**§ 5137 (Agricultural Act of 2014, § 5403)**

**SEC. 5403. REMOVAL OF DUPLICATIVE APPRAISALS.**

Notwithstanding any other law (including regulations), in making loans under the first section of Public Law 91–229 [(25 U.S.C. 488)] (*25 U.S.C. 5136*), borrowers who are Indian tribes, members of Indian tribes, or tribal corporations shall only be required to obtain 1 appraisal under an appraisal standard recognized as of the date of enactment of this Act by the Secretary or the Secretary of the Interior.

**§ 5144 (Native American Technical Corrections Act of 2006, § 203)**

**SEC. 203. CERTIFICATION OF RENTAL PROCEEDS.**

Notwithstanding any other provision of law, any actual rental proceeds from the lease of land acquired under the first section of the Act entitled “An Act to provide for loans to Indian tribes and tribal corporations, and for other purposes” [(25 U.S.C. 488)] (25 U.S.C. 5136) certified by the Secretary of the Interior shall be deemed—\* \* \*

**§ 5203 (Act of June 26, 1936, ch. 831, § 3)**

SEC. 3. Any recognized tribe or band of Indians residing in Oklahoma shall have the right to organize for its common welfare and to adopt a constitution and bylaws, under such rules and regulations as the Secretary of the Interior may prescribe. The Secretary of the Interior may issue to any such organized group a charter of incorporation, which shall become operative when ratified by a majority vote of the adult members of the organization voting: Provided, however, That such election shall be void unless the total vote cast be at least 30 per centum of those entitled to vote. Such charter may convey to the incorporated group, in addition to any powers which may properly be vested in a body corporate under the laws of the State of Oklahoma, the right to participate in the revolving credit fund and to enjoy any other rights or privileges secured to an organized Indian tribe under the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.): Provided, That the corporate funds of any such chartered group may be deposited in any national bank within the State of Oklahoma or otherwise invested, utilized, or disbursed in accordance with the terms of the corporate charter.

**§ 5204 (Act of June 26, 1936, ch. 831, § 4)**

SEC. 4. Any ten or more Indians, as determined by the official tribal rolls, or Indian descendants of such enrolled members, or Indians as defined in the Act of June 18, 1934 [(48 Stat. 984)] (48 Stat. 984; 25 U.S.C. 5101 et seq.), who reside within the State of Oklahoma in convenient proximity to each other may receive from the Secretary of the Interior a charter as a local cooperative association for any one or more of the following purposes: Credit administration, production, marketing, consumers’ protection, or land management. \* \* \*

**§ 5207 (Act of June 26, 1936, ch. 831, § 7)**

SEC. 7. All funds appropriated under the several grants of authority contained [in the Act of June 18, 1934 (48 Stat. 984)] in the Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 5101 et seq.), are hereby made available for use under the provisions of this Act, and Oklahoma Indians shall be accorded and allocated a fair and just share of any and all funds hereafter appropriated under the authorization herein set forth: Provided, That any royalties, bonuses, or other revenues derived from mineral deposits underlying lands purchased in Oklahoma under the authority granted by this Act, or by the Act of June 18, 1934, shall be deposited in the Treasury of the United States, and such revenues are made available for expenditure by the Secretary of the Interior for the acquisition of

lands and for loans to Indians in Oklahoma as authorized by this Act and by the Act of June 18, 1934 (48 Stat. 984).

**§ 5306 (Indian Self-Determination and Education Assistance Act, § 6)**

**PENALTIES**

SEC. 6. Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any recipient of a contract, subcontract, grant, or subgrant pursuant to this Act or the Act of April 16, 1934 (48 Stat. 596), as amended (*25 U.S.C. 5342 et seq.*), embezzles, willfully misapplies, steals, or obtains by fraud any of the money, funds, assets, or property which are the subject of such a grant, subgrant, contract, or subcontract, shall be fined not more than \$10,000 or imprisoned for not more than two years, or both, but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

**§ 5307(b) (Indian Self-Determination and Education Assistance Act, § 7(b))**

**WAGE AND LABOR STANDARDS**

SEC. 7. (a) \* \* \*

(b) Any contract, subcontract, grant, or subgrant pursuant to this Act, the Act of April 16, 1934 (48 Stat. 596), as amended (*25 U.S.C. 5342 et seq.*), or any other Act authorizing Federal contracts with or grants to Indian organizations or for the benefit of Indians, shall require that to the greatest extent feasible—

**§ 5310 (Department of the Interior and Related Agencies Appropriations Act, 2005, § 111)**

SEC. 111. Advance payments made by the Department of the Interior to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (*25 U.S.C. 5301 et seq.*) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may hereafter be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

**§ 5321(a)(1)(A) (Indian Self-Determination and Education Assistance Act, § 102(a)(1)(A))**

SEC. 102. (a)(1) The Secretary is directed, upon the request of any Indian tribe by tribal resolution, to enter into a self-determination contract or contracts with a tribal organization to plan, conduct, and administer programs or portions thereof, including construction programs—

(A) provided for in the Act of April 16, 1934 (48 Stat. 596), as amended (*25 U.S.C. 5342 et seq.*);

\* \* \* \* \*

**§ 5321 note (Tribal Self-Governance Amendments of 2000, § 11)**

**SEC. 11. SAVINGS PROVISION.**

Funds appropriated for title III of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f note) shall be available for use under title V of such Act (25 U.S.C. 5381 *et seq.*).

**§ 5321 note (Indian Tribal Tort Claims and Risk Management Act of 1998, § 702(a)(3))**

**SEC. 702. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

\* \* \* \* \*

(3) as a result, Congress has extended liability coverage provided to Indian tribes to organizations to carry out activities under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 *et seq.*)] (25 U.S.C. 450 *et seq.*); and

**§ 5321 note (Indian Tribal Tort Claims and Risk Management Act of 1998, § 703(1), (3))**

**SEC. 703. DEFINITIONS.**

In this title:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

(3) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

**§ 5321 note (Department of the Interior and Related Agencies Appropriations Act, 1991, § 314)**

SEC. 314. With respect to claims resulting from the performance of functions during fiscal year 1991 and thereafter, or claims asserted after September 30, 1990, but resulting from the performance of functions prior to fiscal year 1991, under a contract, grant agreement, or any other agreement or compact [authorized by the Indian Self-Determination and Education Assistance Act of 1975, as amended (88 Stat. 2203; 25 U.S.C. 450 *et seq.*)] *authorized by the Indian Self-Determination and Education Assistance Act of 1975, as amended (88 Stat. 2203; 25 U.S.C. 5301 et seq.)* or by title V, part B, Tribally Controlled School Grants of the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988, as amended (102 Stat. 385; 25 U.S.C. 2501 *et seq.*), an Indian tribe, tribal organization or Indian contractor is deemed hereafter to be part of the Bureau of Indian Affairs in the Department of the Interior or the Indian Health Service in the Department of Health and Human Services while carrying out any such contract or agreement and its employees are deemed employees of the Bureau or Service while acting within the scope of their employment in carrying out the contract or agreement: \* \* \* Provided further, That nothing in this section shall in any way affect the provisions



of [section 102(d) of the Indian Self-Determination and Education Assistance Act of 1975, as amended (88 Stat. 2203; 25 U.S.C. 450 et seq.)] *section 102(d) of the Indian Self-Determination and Education Assistance Act of 1975, as amended (25 U.S.C. 5321(d))*.

**§ 5321 note (Indian Self-Determination and Education Assistance Act Amendments of 1988, § 201(b)(2))**

**SEC. 201. SELF DETERMINATION CONTRACTS.**

\* \* \* \* \*

(b)(1) \* \* \*

(2) Any reference to section 103(c) contained in an Act making appropriations for the Department of the Interior and Related Agencies for fiscal year 1989 shall be deemed to apply to section 102(d) of such Act (25 U.S.C. 5321(d)) as amended by this Act.

**§ 5323(m) (Indian Self-Determination Act, § 104(m))**

**PERSONNEL**

SEC. 104. \* \* \*

(m) The status of an Indian (as defined in section 19 of the Act of June 18, 1934 [(48 Stat. 988; 25 U.S.C. 479)] (48 Stat. 988; 25 U.S.C. 5129) appointed (except temporary appointments) to the Federal service under an excepted appointment under the authority of section 12 of the Act of June 18, 1934 [(25 U.S.C. 472)] (25 U.S.C. 5116), or any other provision of law granting a preference to Indians in personnel actions, shall be converted to a career appointment in the competitive service after three years of continuous service and satisfactory performance. The conversion shall not alter the Indian's eligibility for preference in personnel actions.

**§ 5323 note (Honest Leadership and Open Government Act of 2007, § 105(d))**

**SEC. 105. EFFECTIVE DATE.**

\* \* \* \* \*

(d) SECTION 104.—The amendments made by section 104 shall take effect on the date of the enactment of this Act, except that section 104(j)(2) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5323(j)(2)) (as amended by section 104(b)) shall apply to individuals who leave Federal office or employment to which such amendments apply on or after the 60th day after the date of the enactment of this Act.

**§ 5323 note (Fur Seal Act of 1966, § 210(b))**

SEC. 210. (a) \* \* \*

(b) Notwithstanding any other provision of law, any Native of the Pribilof Islands employed by the Federal government on October 28, 1983, shall be deemed to have been covered under chapters 81, 83, 85 and 87 of title 5, United States Code, on such date for the purposes of determining eligibility for continuity of benefits under section 105(e) of the Act of January 4, 1975 (Public Law 93–638), known as the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5323(e)).

**§ 5324 note (Department of the Interior and Related Agencies Appropriations Act, 1999, title I, 1st paragraph under heading “OPERATION OF INDIAN PROGRAMS”)**

OPERATION OF INDIAN PROGRAMS

\* \* \* *Provided further*, That hereafter funds made available to tribes and tribal organizations through contracts, compact agreements, or grants, as authorized by the [Indian Self-Determination Act of 1975] *Indian Self-Determination Act (25 U.S.C. 5321 et seq.)* or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: \* \* \*

**§ 5325(f) (Indian Self-Determination Act, § 106(f))**

SEC. 106. (a)(1) \* \* \*

\* \* \* \* \*

(f) Any right of action or other remedy (other than those relating to a criminal offense) relating to any disallowance of costs shall be barred unless the Secretary has given notice of any such disallowance within three hundred and sixty-five days of receiving any required annual single agency audit report or, for any period covered by law or regulation in force prior to enactment of chapter 75 of title 31, United States Code, any other required final audit report. Such notice shall set forth the right of appeal and hearing to the board of contract appeals pursuant to section 110. For the purpose of determining the 365-day period specified in this paragraph, an audit report shall be deemed to have been received on the date of actual receipt by the Secretary, if, within 60 days after receiving the report, the Secretary does not give notice of a determination by the Secretary to reject the single-agency report as insufficient due to noncompliance with chapter 75 of title 31, United States Code, or noncompliance with any other applicable law. Nothing in this subsection shall be deemed to enlarge the rights of the Secretary with respect to section 16 of the Indian Reorganization Act of June 18, 1934 [(48 Stat. 984; 25 U.S.C. 476)] (*48 Stat. 984; 25 U.S.C. 5123*).

**§ 5326 (Department of the Interior and Related Agencies Appropriations Act, 1999, title II, 8th proviso in 1st paragraph under heading “ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE”)**

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

\* \* \* *Provided further*, That, heretofore and hereafter and notwithstanding any other provision of law, funds available to the Indian Health Service in this Act or any other Act for Indian self-determination or self-governance contract or grant support costs may be expended only for costs directly attributable to contracts, grants and compacts pursuant to the Indian Self-Determination Act (*25 U.S.C. 5321 et seq.*) and no funds appropriated by this or any other Act shall be available for any contract support costs or indirect costs associated with any contract, grant, cooperative agreement, self-governance compact, or funding agreement entered into be-

tween an Indian tribe or tribal organization and any entity other than the Indian Health Service:

**§ 5327 (Department of the Interior and Related Agencies Appropriations Act, 2000, § 113)**

SEC. 113. Notwithstanding any other provision of law, [including but not limited to the Indian Self-Determination Act of 1975, as amended] *including but not limited to the Indian Self-Determination Act, as amended (25 U.S.C. 5321 et seq.)*, hereafter funds available to the Department of the Interior for Indian self-determination or self-governance contract or grant support costs may be expended only for costs directly attributable to contracts, grants and compacts [pursuant to the Indian Self-Determination Act of 1975] *pursuant to the Indian Self-Determination Act* and hereafter funds appropriated in this title shall not be available for any contract support costs or indirect costs associated with any contract, grant, cooperative agreement, self-governance compact or funding agreement entered into between an Indian tribe or tribal organization and any entity other than an agency of the Department of the Interior.

**§ 5328 note (Public Law 104–287, § 6(e))**

**SEC. 6. TECHNICAL CHANGES TO OTHER LAWS.**

\* \* \* \* \*

(e) Effective November 2, 1994, section 10(c)(2)(A) of the Act of November 2, 1994 (Public Law 103–437, 108 Stat. 4589), is repealed and section 107(b) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450k(b))] *(25 U.S.C. 5328(b))*, as amended by section 105(1) of the Indian Self-Determination Act (Public Law 103–413, 108 Stat. 4269), is revived and shall read as if section 10(c)(2)(A) of the Act of November 2, 1994 (Public Law 103–437, 108 Stat. 4589), had not been enacted.

**§ 5329(c) (Indian Self-Determination Act, § 108(c))**

**SEC. 108. CONTRACT OR GRANT SPECIFICATIONS.**

\* \* \* \* \*

(c) The model agreement referred to in subsection (a)(1) reads as follows:

**“SECTION 1. AGREEMENT BETWEEN THE SECRETARY AND THE \_\_\_\_ TRIBAL GOVERNMENT.**

**“(a) AUTHORITY AND PURPOSE.—**

**“(1) AUTHORITY.—**This agreement, denoted a Self-Determination Contract (referred to in this agreement as the ‘Contract’), is entered into by the Secretary of the Interior or the Secretary of Health and Human Services (referred to in this agreement as the ‘Secretary’), for and on behalf of the United States [pursuant to title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)] *pursuant to title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)* and by the authority of the \_\_\_\_ tribal government or tribal organization (referred to in this agreement as the ‘Contractor’). The [provisions of title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)] *provisions of title I of the Indian Self-Determina-*

*tion and Education Assistance Act (25 U.S.C. 5301 et seq.)* are incorporated in this agreement.

“(2) PURPOSE.— Each provision of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) and each provision of this Contract shall be liberally construed for the benefit of the Contractor to transfer the funding and the following related functions, services, activities, and programs (or portions thereof), that are otherwise contractable under section 102(a) of such Act, including all related administrative functions, from the Federal Government to the Contractor: (List functions, services, activities, and programs).

“(b) TERMS, PROVISIONS, AND CONDITIONS.—

“(1) TERM.—Pursuant to section 105(c)(1) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450j(c)(1))] (25 U.S.C. 5324(c)(1)), the term of this contract shall be \_\_\_\_ years. Pursuant to section 105(d)(1) of such Act [(25 U.S.C. 450j(d))] (25 U.S.C. 5324(d)), upon the election by the Contractor, the period of this Contract shall be determined on the basis of a calendar year, unless the Secretary and the Contractor agree on a different period in the annual funding agreement incorporated by reference in subsection (f)(2).

\* \* \* \* \*

“(4) FUNDING AMOUNT.—Subject to the availability of appropriations, the Secretary shall make available to the Contractor the total amount specified in the annual funding agreement incorporated by reference in subsection (f)(2). Such amount shall not be less than the applicable amount determined pursuant to section 106(a) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450j–1)] (25 U.S.C. 5325).

\* \* \* \* \*

“(8) PROPERTY.—

“(A) IN GENERAL.—As provided in section 105(f) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450j(f))] (25 U.S.C. 5324(f)), at the request of the Contractor, the Secretary may make available, or transfer to the Contractor, all reasonably divisible real property, facilities, equipment, and personal property that the Secretary has used to provide or administer the programs, services, functions, and activities covered by this Contract. A mutually agreed upon list specifying the property, facilities, and equipment so furnished shall also be prepared by the Secretary, with the concurrence of the Contractor, and periodically revised by the Secretary, with the concurrence of the Contractor.

\* \* \* \* \*

“(11) FEDERAL PROGRAM GUIDELINES, MANUALS, OR POLICY DIRECTIVES.—Except as specifically provided in the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) the Contractor is not required to abide by program guidelines, manuals, or policy directives of the Secretary, unless otherwise agreed to by the Contractor and the Secretary, or otherwise required by law.

“(12) DISPUTES.—

\* \* \* \* \*

“(B) ALTERNATIVE PROCEDURES.—In addition to, or as an alternative to, remedies and procedures prescribed by section 110 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450m–1)] (25 U.S.C. 5331), the parties to this Contract may jointly—

\* \* \* \* \*

“(14) SUCCESSOR ANNUAL FUNDING AGREEMENT.—

“(A) IN GENERAL.—Negotiations for a successor annual funding agreement, provided for in subsection (f)(2), shall begin not later than 120 days prior to the conclusion of the preceding annual funding agreement. Except as provided in section 105(c)(2) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450j(c)(2))] (25 U.S.C. 5324(c)(2)) the funding for each such successor annual funding agreement shall only be reduced pursuant to section 106(b) of such Act [(25 U.S.C. 450j–1(b))] (25 U.S.C. 5325(b)).

\* \* \* \* \*

“(15) CONTRACT REQUIREMENTS; APPROVAL BY SECRETARY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), for the term of the Contract, section 2103 of the Revised Statutes (25 U.S.C. 81), section 16 of the Act of June 18, 1934 [(48 Stat. 987, chapter 576; 25 U.S.C. 476)] (48 Stat. 987, chapter 576; 25 U.S.C. 5123), and the Act of July 3, 1952 (25 U.S.C. 82a), shall not apply to any contract entered into in connection with this Contract.

**§ 5329 note (Department of the Interior and Related Agencies Appropriations Act, 1998, § 311)**

SEC. 311. Notwithstanding Public Law 103–413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93–638 (25 U.S.C. 5329), as amended, beginning in fiscal year 1998 and thereafter, may be made on the first business day following the first day of a fiscal quarter.

**§ 5342 note (Department of the Interior and Related Agencies Appropriations Act, 1989, title I, 12th proviso in paragraph under heading “OPERATION OF INDIAN PROGRAMS”)**

OPERATION OF INDIAN PROGRAMS

\* \* \* *Provided further*, That notwithstanding any other provision of law, the amounts available for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended [(25 U.S.C. 452 et seq.)] (25 U.S.C. 5342 et seq.), shall be distributed on the basis of the formula recommended by the Assistant Secretary of Indian Affairs in a letter to the committees on Appropriations dated June 27, 1988, except that for the fiscal year ending September 30, 1989, the minimum weight factor shall be 1.1 rather

than 1.3 and for the fiscal year ending September 30, 1990, the minimum weight factor shall be 1.2 rather than 1.3: \* \* \*

**§ 5342 note (Department of the Interior and Related Agencies Appropriations Act, 1986, title I, 3d proviso in 3rd paragraph under heading “OPERATION OF INDIAN PROGRAMS”)**

**OPERATION OF INDIAN PROGRAMS**

\* \* \* *Provided further*, That notwithstanding any law or regulation, in allocating funds for aid to public schools under the Act of April 16, 1934, as amended (25 U.S.C. 5342 *et seq.*), the Secretary shall enter into contracts only for the provision of supplementary educational services for Indian children: \* \* \*

**§ 5351(e) (Indian Education Assistance Act, § 204(e))**

SEC. 204. (a) \* \* \*

(e) The Secretary shall consult with the entity designated pursuant to section 5 of the Act of April 16, 1934 [(48 Stat. 596)] (48 Stat. 596; 25 U.S.C. 5346), as amended by this Act, and with the governing body of any Indian tribe or tribes the educational opportunity for the members of which will be significantly affected by any contract entered into pursuant to this section. Such consultation shall be advisory only, but shall occur prior to the entering into of any such contract. The foregoing provisions of this subsection shall not be applicable where the application for a contract pursuant to this section is submitted by an elected school board of which a majority of its members are Indians.

**§ 5355 (Indian Education Assistance Act, § 208)**

SEC. 208. The Secretary is authorized and directed to provide funds, pursuant to this Act: [the the Act of April 16, 1934 (48 Stat. 596), as amended] the Act of April 16, 1934 (48 Stat. 596; 25 U.S.C. 5342 *et seq.*), as amended; or any other authority granted to him to any tribe or tribal organization which controls and manages any previously private school.

**§ 5363 (Indian Self-Determination and Education Assistance Act, § 403)**

**SEC. 403. FUNDING AGREEMENTS.**

\* \* \* \* \*

(b) CONTENTS.—Each funding agreement shall—

(1) authorize the tribe to plan, conduct, consolidate, and administer programs, services, functions, and activities, or portions thereof, administered by the Department of the Interior through the Bureau of Indian Affairs, without regard to the agency or office of the Bureau of Indian Affairs within which the program, service, function, and activity, or portion thereof, is performed, including funding for agency, area, and central office functions in accordance with subsection (g)(3), and including any program, service, function, and activity, or portion thereof, administered under the authority of—

(A) the Act of April 16, 1934 [(25 U.S.C. 452 et seq.)]  
(25 U.S.C. 5342 et seq.);

\* \* \* \* \*

(h) CIVIL ACTIONS.—(1) \* \* \*

(2) For the period that an agreement entered into under this title is in effect, the provisions of section 2103 of the Revised Statutes of the United States (25 U.S.C. 81), section 16 of the Act of June 18, 1934 [(25 U.S.C. 476)] (25 U.S.C. 5123), and the Act of July 3, 1952 (25 U.S.C. 82a), shall not apply to attorney and other professional contracts by Indian tribal governments participating in Self-Governance under this title.

**§ 5385(b)(2)(B), (Indian Self-Determination and Education Assistance Act, § 505(b)(2)(B))**

**SEC. 505. FUNDING AGREEMENTS.**

\* \* \* \* \*

(b) CONTENTS.—

\* \* \* \* \*

(2) INCLUSION OF CERTAIN PROGRAMS, SERVICES, FUNCTIONS, AND ACTIVITIES.—Such programs, services, functions, or activities (or portions thereof) include all programs, services, functions, activities (or portions thereof), including grants (which may be added to a funding agreement after an award of such grants), with respect to which Indian tribes or Indians are primary or significant beneficiaries, administered by the Department of Health and Human Services through the Indian Health Service and all local, field, service unit, area, regional, and central headquarters or national office functions so administered under the authority of—

\* \* \* \* \*

(B) the Act of April 16, 1934 [(48 Stat. 596; chapter 147; 25 U.S.C. 452 et seq.)] (48 Stat. 596; chapter 147; 25 U.S.C. 5342 et seq.);

\* \* \* \* \*

**§ 5391(b), (c) (Indian Self-Determination and Education Assistance Act, § 511(b), (c))**

**SEC. 511. CIVIL ACTIONS.**

\* \* \* \* \*

(b) APPLICABILITY OF CERTAIN LAWS.—Section 2103 of the Revised Statutes (25 U.S.C. 81) and section 16 of the Act of June 18, 1934 [(48 Stat. 987; chapter 576; 25 U.S.C. 476)] (48 Stat. 987; chapter 576; 25 U.S.C. 5123), shall not apply to attorney and other professional contracts entered into by Indian tribes participating in self-governance under this title.

(c) REFERENCES.—All references in this Act to section 1 of the Act of June 26, 1936 [(49 Stat. 1967; chapter 831)] (49 Stat. 1967; chapter 831; 25 U.S.C. 5201) are hereby deemed to include the first section of the Act of July 3, 1952 (66 Stat. 323; chapter 549; 25 U.S.C. 82a).

**§ 5421(m) (Indian Self-Determination and Education Assistance Act, § 801(m))**

**SEC. 801. NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION.**

\* \* \* \* \*

(m) TRANSFER OF DONATED FUNDS.—The Secretary may transfer to the Foundation funds held by the Department of the Interior under the Act of February 14, 1931 [(25 U.S.C. 451)] (25 U.S.C. 534I), if the transfer or use of such funds is not prohibited by any term under which the funds were donated.

**§ 5611(1) (Indian Trust Asset Management Demonstration Project Act of 2016, § 202(1))**

**SEC. 202. DEFINITIONS.**

In this title:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 5613(a)(2)(D) (Indian Trust Asset Management Demonstration Project Act of 2016, § 204(a)(2)(D))**

**SEC. 204. INDIAN TRUST ASSET MANAGEMENT PLAN.**

(a) PROPOSED PLAN. —

\* \* \* \* \*

(2) CONTENTS.—A proposed Indian trust asset management plan shall include provisions that—

\* \* \* \* \*

(D) if the Indian tribe has contracted or compacted functions or activities under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) relating to the management of trust assets—

**§ 5614(d)(2) (Indian Trust Asset Management Demonstration Project Act of 2016, § 205(d)(2))**

**SEC. 205. FOREST LAND MANAGEMENT AND SURFACE LEASING ACTIVITIES.**

\* \* \* \* \*

(d) TECHNICAL ASSISTANCE.—

\* \* \* \* \*

(2) INDIAN SELF DETERMINATION AND EDUCATION ASSISTANCE ACT.—The technical assistance to be provided by the Secretary pursuant to paragraph (1) may be made available through contracts, grants, or agreements entered into in accordance with, and made available to entities eligible for, contracts, grants, or agreements under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).



**§ 5615(d)(2) (Indian Trust Asset Management Demonstration Project Act of 2016, § 206(d)(2))**

**SEC. 206. EFFECT OF TITLE.**

\* \* \* \* \*

**(d) EFFECT ON OTHER LAWS.—**

\* \* \* \* \*

(2) INDIAN SELF DETERMINATION ACT.—Nothing in this title limits or otherwise affects the authority of an Indian tribe, including an Indian tribe participating in the project, to enter into and carry out a contract, compact, or other agreement under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) (including regulations).

**§ 5633(d)(2)(C) (Indian Trust Asset Reform Act, § 303(d)(2)(C))**

**SEC. 303. UNDER SECRETARY FOR INDIAN AFFAIRS.**

\* \* \* \* \*

**(d) PERSONNEL PROVISIONS.—**

\* \* \* \* \*

**(2) REQUIREMENTS. —**Except as otherwise provided by law—

\* \* \* \* \*

(C) in appointing or otherwise hiring any employee, the Under Secretary shall give preference to Indians in accordance with section 12 of the Act of June 18, 1934 [(25 U.S.C. 472)] (25 U.S.C. 5116).

**§ 5634(b) (Indian Trust Asset Reform Act, § 304(b))**

**SEC. 304. OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS.**

\* \* \* \* \*

(b) FIDUCIARY TRUST OFFICERS.—Subject to applicable law and regulations, the Secretary, at the request of an Indian tribe or a consortium of Indian tribes, shall include fiduciary trust officers in a contract, compact, or other agreement under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

## **TITLE 26—INTERNAL REVENUE CODE**

**§ 3121(b)(5)(B)(i)(V) (Internal Revenue Code of 1986, § 3121(b)(5)(B)(i)(V))**

**SEC. 3121. DEFINITIONS.**

\* \* \* \* \*

(b) EMPLOYMENT.—For purposes of this chapter, the term “employment” means any service, of whatever nature, performed (A) by an employee for the person employing him, irrespective of the citizenship or residence of either, (i) within the United States, or (ii) on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which and while the employee is employed on the vessel or aircraft it touches at a port in the

United States, if the employee is employed on and in connection with such vessel or aircraft when outside the United States, or (B) outside the United States by a citizen or resident of the United States as an employee for an American employer (as defined in subsection (h)), or (C) if it is service, regardless of where or by whom performed, which is designated as employment or recognized as equivalent to employment under an agreement entered into under section 233 of the Social Security Act; except that such term shall not include—

\* \* \* \* \*

(5) service performed in the employ of the United States or any instrumentality of the United States, if such service—

\* \* \* \* \*

(B) is performed by an individual who—

(i) has been continuously performing service described in subparagraph (A) since December 31, 1983, and for purposes of this clause—

\* \* \* \* \*

(V) if an individual performing service described in subparagraph (A) returns to the performance of such service after employment (by a tribal organization) to which section 104(e)(2) of the Indian Self-Determination Act (25 U.S.C. 5323(e)(2)) applies, then the service performed for that tribal organization shall be considered service described in subparagraph (A); or

## TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

### § 524 note (Department of Justice Appropriations Act, 1999, § 113)

SEC. 113. Notwithstanding any other provision of law for fiscal year 2000 and hereafter, with respect to any grant program for which amounts are made available under this title, the terms “tribe”, “Indian tribe” or “tribal” mean of or relating to an Indian tribe as that term is defined in [section 4(e) of the Indian Self Determination and Education Assistance Act (Public Law 93–638, as amended 25 U.S.C. 450b(e) (1998))] *section 4(e) of the Indian Self Determination and Education Assistance Act (Public Law 93–638, as amended, 25 U.S.C. 5304(e)) (1998))*.

## TITLE 29—LABOR

### § 705(19)(B) (Rehabilitation Act of 1973, § 7(19)(B))

#### SEC. 7. DEFINITIONS.

For the purposes of this Act:

\* \* \* \* \*

(19) INDIAN; AMERICAN INDIAN; INDIAN AMERICAN; INDIAN TRIBE.

\* \* \* \* \*

(B) INDIAN TRIBE.—The term “Indian tribe” means any Federal or State Indian tribe, band, rancheria, pueblo, colony, or community, including any Alaskan native village or regional village corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act) and a tribal organization (as defined in section 4(l)) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

**§ 741(b)(2) (Rehabilitation Act of 1973, § 121(b)(2))**

**VOCATIONAL REHABILITATION SERVICES GRANTS**

SEC. 121. (a) \* \* \*

(b)(1) \* \* \*

(2) The provisions of sections 5, 6, 7, and 102(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5305, 5306, 5307, 5321(a)) shall be applicable to any application submitted under this part. For purposes of this paragraph, any reference in any such provision to the Secretary of Education or to the Secretary of the Interior shall be considered to be a reference to the Commissioner.

**§ 3197(e)(2) (Workforce Innovation and Opportunity Act, § 147(e)(2))**

**SEC. 147. JOB CORPS CENTERS.**

\* \* \* \* \*

(e) INDIAN TRIBES. —

\* \* \* \* \*

(2) DEFINITIONS.—In this subsection, the terms “Indian” and “Indian tribe” have the meanings given such terms in subsections (d) and (e), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(d), (e)).

**§ 3221(a)(2), (b)(2) (Workforce Innovation and Opportunity Act, § 166(a)(2), (b)(2))**

**SEC. 166. NATIVE AMERICAN PROGRAMS.**

(a) PURPOSE. —

\* \* \* \* \*

(2) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self Determination and Education Assistance Act [25 U.S.C. 450 et seq.] (25 U.S.C. 5301 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

(b) DEFINITIONS. —As used in this section:

\* \* \* \* \*

(2) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given such terms in subsections (d), (e), and (l),

respectively, of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(d), (e), (l)).

**§ 3226(b)(7) (Workforce Innovation and Opportunity Act, § 171(b)(7))**

**SEC. 171. YOUTHBUILD PROGRAM.**

\* \* \* \* \*

(b) DEFINITIONS.—In this section:

\* \* \* \* \*

(7) INDIAN; INDIAN TRIBE.—The terms “Indian” and “Indian tribe” have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## **TITLE 30—MINERAL LANDS AND MINING**

**§ 81 note (Public Law 105–367, § 1(b)(4))**

**SECTION 1. PROTECTION OF SANCTITY OF CONTRACTS AND LEASES OF SURFACE PATENT HOLDERS WITH RESPECT TO COAL-BED METHANE GAS.**

\* \* \* \* \*

(b) APPLICATION.—Subsection (a)—

\* \* \* \* \*

(4) shall not apply to any interest in coal or land conveyed, restored, or transferred by the United States to a federally recognized Indian tribe, including any conveyance, restoration, or transfer made pursuant to the Indian Reorganization Act, June 18, 1934 [(c. 576, 48 Stat. 984, as amended)] (c. 576, 48 Stat. 984, as amended; 25 U.S.C. 5101 et seq.); the Act of June 28, 1938 (c. 776, 52 Stat. 1209 as implemented by the order of September 14, 1938, 3 Fed. Reg. 1425); and including the area described in section 3 of Public Law 98–290; or any executive order;

## **TITLE 31—MONEY AND FINANCE**

**§ 1352 (g)(11)**

**§ 1352. Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions**

\* \* \* \* \*

(g) As used in this section:

\* \* \* \* \*

(11) The terms “Indian tribe” and “tribal organization” have the meaning provided in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### § 2238(e)(2)(B)(v) (Harbor Development and Navigation Improvement Act of 1986, § 210(e)(2)(B)(v))

#### SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

\* \* \* \* \*

(e) ASSESSMENT OF HARBORS AND INLAND HARBORS.—

\* \* \* \* \*

(2) ASSESSMENT OF HARBOR NEEDS AND ACTIVITIES.—

\* \* \* \* \*

(B) USES OF HARBORS AND INLAND HARBORS.—In carrying out paragraph (1), the Secretary shall identify current uses (and, to the extent practicable, assess the national, regional, and local benefits of such uses) of harbors and inland harbors referred to in subsection (a)(2), including the use of those harbors for—

\* \* \* \* \*

(v) subsistence, including use by Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)) for subsistence and ceremonial purposes;

### § 2254(b)(3) (Water Resources Reform and Development Act of 2014, § 2008(b)(3))

#### SEC. 2008. ASSESSMENT OF OPERATION AND MAINTENANCE NEEDS OF THE ATLANTIC INTRACOASTAL WATERWAY AND THE GULF INTRACOASTAL WATERWAY.

\* \* \* \* \*

(b) TYPES OF ACTIVITIES.—In carrying out subsection (a), the Secretary shall assess the operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway as used for the following purposes:

\* \* \* \* \*

(3) Subsistence, including utilization by Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)) for subsistence and ceremonial purposes.

### § 2269(a) (Water Resources Development Act of 2000, § 203(a))

#### SEC. 203. TRIBAL PARTNERSHIP PROGRAM.

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2338(a) (Water Resources Development Act of 2000, § 208(a))**

**SEC. 208. REBURIAL AND CONVEYANCE AUTHORITY.**

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2902(7) (Estuary Restoration Act of 2000, § 103(7))**

**SEC. 103. DEFINITIONS.**

In this title, the following definitions apply:

\* \* \* \* \*

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given such term by section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 3301(5) (National Levee Safety Act of 2007, § 9002(5))**

**SEC. 9002. DEFINITIONS.**

In this title, the following definitions apply:

\* \* \* \* \*

(5) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## **TITLE 34—CRIME CONTROL AND LAW ENFORCEMENT**

**§ 10251(a)(26) (Omnibus Crime Control and Safe Streets Act of 1968, § 901(a)(26))**

**DEFINITIONS**

SEC. 901. (a) As used in this title—

\* \* \* \* \*

(26) the term “Indian Tribe” has the meaning given the term “Indian tribe” in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e)))] (25 U.S.C. 5304(e)); and

**§ 10381 note (Tribal Law and Order Act of 2010, § 247(a)(3))**

**SEC. 247. IMPROVING PUBLIC SAFETY PRESENCE IN RURAL ALASKA.**

(a) DEFINITIONS.—In this section:

\* \* \* \* \*

(3) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given that term in [section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 450b(1))] *section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l))*.

**§ 10402(b) (Omnibus Crime Control and Safe Streets Act of 1968, § 1801A(b))**

**SEC. 1801A. TRIBAL GRANT PROGRAM AUTHORIZED.**

\* \* \* \* \*

(b) **ELIGIBILITY.**—Indian tribes, as defined by section 102 of the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a)] (25 U.S.C. 5130), or a consortia of such tribes, shall submit to the Attorney General an application in such form and containing such information as the Attorney General may require. Only tribes that carry out tribal juvenile justice functions shall be eligible to receive a grant under this section.

**§ 10533(5) (Omnibus Crime Control and Safe Streets Act of 1968, § 2503(5))**

**SEC. 2503. DEFINITIONS.**

For purposes of this part—

\* \* \* \* \*

(5) the term “Indian tribe” has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)); and

**§ 10554(3) (Omnibus Crime Control and Safe Streets Act of 1968, § 2704(3))**

**SEC. 2704. DEFINITIONS.**

For purposes of this part—

\* \* \* \* \*

(3) the term “Indian tribe” has the same meaning as in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

**§ 10705(7) (Omnibus Crime Control and Safe Streets Act of 1968, § 3025(7))**

**SEC. 3025. DEFINITIONS.**

In this part:

\* \* \* \* \*

(7) The term “tribal organization” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 20101(g)(3) (Victims of Crime Act of 1984, § 1402(g)(3))**

**CRIME VICTIMS FUND**

Sec. 1402. \* \* \*

(g)(1) \* \* \*

(3) As used in this subsection, the term “tribe” has the meaning given that term in [section 4(b) of the Indian Self-Determination and Education Assistance Act] *section 4(e) of the Indian Self-Determination and Education Assistance Act* (25 U.S.C. 5304(e)).

## TITLE 36—PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

§ 116 note (National Moment of Remembrance Act, § 3(5))

### SEC. 3. DEFINITIONS.

In this Act:

\* \* \* \* \*

(5) TRIBAL GOVERNMENT.—The term “tribal government” means the governing body of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304)).

Note preceding § 301 (National Bison Legacy Act, § 2(6))

### SEC. 2. FINDINGS.

Congress finds that—

\* \* \* \* \*

(6) the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) [(25 U.S.C. 477)] (25 U.S.C. 5124).

## TITLE 38—VETERANS’ BENEFITS

§ 1701 note (Veterans Access, Choice, and Accountability Act of 2014, § 102)

### SEC. 102. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND INDIAN HEALTH SERVICE.

(a) OUTREACH TO TRIBAL RUN MEDICAL FACILITIES.—The Secretary of Veterans Affairs shall, in consultation with the Director of the Indian Health Service, conduct outreach to each medical facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.) to raise awareness of the ability of such facilities, Indian tribes, and tribal organizations to enter into agreements with the Department of Veterans Affairs under which the Secretary reimburses such facilities, Indian tribes, or tribal organizations, as the case may be, for health care provided to veterans who are—

\* \* \* \* \*

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly submit to Congress a report on the feasibility and advisability of the following:

\* \* \* \* \*



(2) Including the reimbursement of the costs of direct care services provided to veterans who are not Indians in agreements between the Department and the following:

\* \* \* \* \*

(B) An Indian tribe or tribal organization operating a medical facility through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 1712A note (Veterans’ Mental Health and Other Care Improvements Act of 2008, § 107(b)(2))**

**SEC. 107. PILOT PROGRAM ON PEER OUTREACH AND SUPPORT FOR VETERANS AND USE OF COMMUNITY MENTAL HEALTH CENTERS AND INDIAN HEALTH SERVICE FACILITIES.**

\* \* \* \* \*

(b) PROVISION OF CERTAIN SERVICES.—In providing services described in paragraphs (3) and (4) of subsection (a) under the pilot program to veterans who reside in rural areas and do not have adequate access through the Department of Veterans Affairs to the services described in such paragraphs, the Secretary shall, acting through the Office of Mental Health Services and the Office of Rural Health, provide such services as follows:

\* \* \* \* \*

(2) Through the Indian Health Service, or an Indian tribe or tribal organization that has entered into an agreement with the Indian Health Service pursuant to the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), if a memorandum of understanding is entered into by the Secretary of Veterans Affairs and the Secretary of Health and Human Services for purposes of the pilot program.

**§ 2041 note (Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012, § 304(c))**

**SEC. 304. COLLABORATION IN PROVISION OF CASE MANAGEMENT SERVICES TO HOMELESS VETERANS IN SUPPORTED HOUSING PROGRAM.**

\* \* \* \* \*

(c) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is any State or local government agency, tribal organization (as such term is defined in [section 4 of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450b)] *section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)*), or nonprofit organization that—

**§ 3765(3)(A), (4)**

**§ 3765. Definitions**

For the purposes of this subchapter—

\* \* \* \* \*

(3) The term “Native American” means—

(A) an Indian, as defined in section 4(d) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(d))] (25 U.S.C. 5304(d));

\* \* \* \* \*

(4) The term “tribal organization” shall have the meaning given such term in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)) and shall include the Department of Hawaiian Homelands, in the case of native Hawaiians, and such other organizations as the Secretary may prescribe.

## TITLE 40—PUBLIC BUILDINGS, PROPERTY, AND WORKS

### § 3162(a)

#### § 3162. Waiver for individuals who perform volunteer services

(a) CRITERIA FOR RECEIVING WAIVER.—The requirement that certain laborers and mechanics be paid in accordance with the wage-setting provisions of subchapter IV of this chapter as set forth in the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.), and the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) does not apply to an individual—

### § 15101(4)

#### § 15101. Definitions

In this subtitle, the following definitions apply:

\* \* \* \* \*

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## TITLE 42—THE PUBLIC HEALTH AND WELFARE

### § 238m(e) (Public Health Service Act, § 244(e))

#### USE OF FISCAL AGENTS

SEC. 244. (a) \* \* \*

\* \* \* \* \*

(e) In this section, the term “fiscal agent” means a carrier described in section 1842(f)(1) of the Social Security Act and includes, with respect to contracts under subsection (a)(1)(A), an Indian tribe or tribal organization acting under contract with the Secretary under the Indian Self-Determination Act [(Public Law 93–638)] (Public Law 93–638; 25 U.S.C. 5321 et seq.).

**§ 247b-14(e) (Public Health Service Act, § 317M(e))**

ORAL HEALTH PROMOTION AND DISEASE PREVENTION

SEC. 317M. (a) \* \* \*

\* \* \* \* \*

(e) DEFINITIONS.—For purposes of this section, the term “Indian tribe” means an Indian tribe or tribal organization as defined in [section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act] *subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e), (l))*.

**§ 247b-20(a) (Public Health Service Act, § 317R(a))**

SEC. 317R. FOOD SAFETY GRANTS.

(a) IN GENERAL.—The Secretary may award grants to States and Indian tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e))) to expand participation in networks to enhance Federal, State, and local food safety efforts, including meeting the costs of establishing and maintaining the food safety surveillance, technical, and laboratory capacity needed for such participation.

**§ 247d(e)(7)(A) (Public Health Service Act, § 319(e)(7)(A))**

SEC. 319. PUBLIC HEALTH EMERGENCIES.

\* \* \* \* \*

(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

\* \* \* \* \*

(7) DEFINITIONS.—In this subsection—

(A) the terms “Indian tribe” and “tribal organization” have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and

**§ 254b(k)(3)(H) (Public Health Service Act, § 330(k)(3)(H))**

SEC. 330. HEALTH CENTERS.

\* \* \* \* \*

(k) APPLICATIONS.—

\* \* \* \* \*

(3) REQUIREMENTS.—Except as provided in subsection (e)(1)(B), the Secretary may not approve an application for a grant under subparagraph (A) or (B) of subsection (e)(1) unless the Secretary determines that the entity for which the application is submitted is a health center (within the meaning of subsection (a)) and that—

\* \* \* \* \*

(H) the center has established a governing board which except in the case of an entity operated by an Indian tribe or tribal or Indian organization under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*) or an urban In-

dian organization under the Indian Health Care Improvement Act (25 U.S.C. 1651 et seq.)—

**§ 254c-3(b)(2) (Public Health Service Act, § 330C(b)(2))**

**SEC. 330C. SPECIAL DIABETES PROGRAMS FOR INDIANS.**

\* \* \* \* \*

(b) SERVICES THROUGH INDIAN HEALTH FACILITIES.—For purposes of subsection (a), services under such subsection are provided in accordance with this subsection if the services are provided through any of the following entities:

\* \* \* \* \*

(2) An Indian health program operated by an Indian tribe or tribal organization pursuant to a contract, grant, cooperative agreement, or compact with the Indian Health Service pursuant to the Indian Self-Determination Act (25 U.S.C. 5321 et seq.).

**§ 254e(a)(2)(B) (Public Health Service Act, § 332(a)(2)(B))**

**DESIGNATION OF HEALTH MANPOWER SHORTAGE AREAS**

SEC. 332. (a)(1) \* \* \*

(2) For purposes of this subsection, the term “medical facility” means a facility for the delivery of health services and includes—

\* \* \* \* \*

(B) such a facility of a State correctional institution or of the Indian Health Service, and a health program or facility operated by a tribe or tribal organization under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.);

**§ 256d(c)(10) (Public Health Service Act, § 340D(c)(10))**

**BREAST AND CERVICAL CANCER INFORMATION**

Sec. 340D. (a) \* \* \*

(c) RELEVANT ENTITIES.—The entities specified in this subsection are the following:

\* \* \* \* \*

(10) Non-Federal entities authorized under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.).

**§ 256g-1(c)(1)(D) (Public Health Service Act, § 340G-1(c)(1)(D))**

**SEC. 340G—1. DEMONSTRATION PROGRAM.**

\* \* \* \* \*

(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a), an entity shall—

(1) be—

\* \* \* \* \*

(D) an Indian Health Service facility or a tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

**§ 290aa-0(e)(1) (Public Health Service Act, § 501A(e)(1))**

**SEC. 501A. NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.**

\* \* \* \* \*

**(e) PROMOTING INNOVATION.—**

(1) **IN GENERAL.**—The Assistant Secretary, in coordination with the Laboratory, may award grants to States, local governments, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), educational institutions, and nonprofit organizations to develop evidence-based interventions, including culturally and linguistically appropriate services, as appropriate, for—

**§ 290bb-2(a)(3) (Public Health Service Act, § 509(a)(3))**

**SEC. 509. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.**

(a) **PROJECTS.**—The Secretary shall address priority substance use disorder treatment needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

\* \* \* \* \*

(3) targeted capacity response programs that permit States, local governments, communities, and Indian tribes and tribal organizations (as the terms “Indian tribes” and “tribal organizations” are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) to focus on emerging trends in substance abuse and co-occurrence of substance use disorders with mental illness or other conditions.

**§ 290bb-7(a) (Public Health Service Act, § 514(a))**

**SEC. 514. SUBSTANCE USE DISORDER TREATMENT AND EARLY INTERVENTION SERVICES FOR CHILDREN AND ADOLESCENTS.**

(a) **IN GENERAL.**—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or health facilities or programs operated by or in accordance with a contract or grant with the Indian Health Service, for the purposes of—

**§ 290bb-10(a)(1) (Public Health Service Act, § 514B(a)(1))**

**SEC. 514B. EVIDENCE BASED PRESCRIPTION OPIOID AND HEROIN TREATMENT AND INTERVENTIONS DEMONSTRATION.**

**(a) GRANTS TO EXPAND ACCESS.—**

(1) **AUTHORITY TO AWARD GRANTS.**—The Secretary shall award grants, contracts, or cooperative agreements to State substance abuse agencies, units of local government, nonprofit organizations, and Indian tribes and tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that have a high rate, or have had a rapid increase, in the use of heroin or other opioids, in order to permit such entities to expand activities,

including an expansion in the availability of evidence-based medication-assisted treatment and other clinically appropriate services, with respect to the treatment of addiction in the specific geographical areas of such entities where there is a high rate or rapid increase in the use of heroin or other opioids, such as in rural areas.

**§ 290bb-22(a) (Public Health Service Act, § 516(a))**

**SEC. 516. PRIORITY SUBSTANCE USE DISORDER PREVENTION NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.**

(a) PROJECTS.—The Secretary shall address priority substance use disorder prevention needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

\* \* \* \* \*

The Secretary may carry out the activities described in this section directly or through grants, contracts, or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), health facilities, or programs operated by or in accordance with a contract or grant with the Indian Health Service, or other public or nonprofit private entities.

**§ 290bb-32(a) (Public Health Service Act, § 520A(a))**

**SEC. 520A. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.**

(a) PROJECTS.—The Secretary shall address priority mental health needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

\* \* \* \* \*

The Secretary may carry out the activities described in this subsection directly or through grants, contracts, or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), health facilities, or programs operated by or in accordance with a contract or grant with the Indian Health Service, or, other public or private nonprofit entities.

**§ 290bb-38(a) (Public Health Service Act, § 520G(a))**

**SEC. 520G. GRANTS FOR JAIL DIVERSION PROGRAMS.**

(a) PROGRAM AUTHORIZED.—The Secretary shall make up to 125 grants to States, political subdivisions of States, Indian tribes and tribal organizations (as the terms “Indian tribes” and “tribal organizations” are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), acting directly or through agreements with other public or nonprofit entities, or a health facility or program operated by or in accordance with a contract or grant with the Indian Health Service, to develop and implement programs to divert individuals with a mental illness from the criminal justice system to community-based services.

**§ 290bb–42(g)(2) (Public Health Service Act, § 520K(g)(2))**

**SEC. 520K. INTEGRATION INCENTIVE GRANTS AND COOPERATIVE AGREEMENTS.**

\* \* \* \* \*

(g) TECHNICAL ASSISTANCE FOR PRIMARY-BEHAVIORAL HEALTH CARE INTEGRATION.—

\* \* \* \* \*

(2) ADDITIONAL DISSEMINATION OF TECHNICAL INFORMATION.—The information and resources provided by the Secretary under paragraph (1) shall, as appropriate, be made available to States, political subdivisions of States, Indian tribes or tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), outpatient mental health and addiction treatment centers, community mental health centers that meet the criteria under section 1913(c), certified community behavioral health clinics described in section 223 of the Protecting Access to Medicare Act of 2014, primary care organizations such as Federally qualified health centers or rural health clinics as defined in section 1861(aa) of the Social Security Act, other community-based organizations, or other entities engaging in integrated care activities, as the Secretary determines appropriate.

**§ 290bb–43(a)(2) (Public Health Service Act, § 520L(a)(2))**

**SEC. 520I. ADULT SUICIDE PREVENTION.**

(a) GRANTS.—

\* \* \* \* \*

(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a community-based primary care or behavioral health care setting, an emergency department, a State mental health agency (or State health agency with mental or behavioral health functions), public health agency, a territory of the United States, or an Indian tribe or tribal organization (as the terms “Indian tribe” and “tribal organization” are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

**§ 290bb–44(b) (Public Health Service Act, § 520M(b))**

**SEC. 520M. ASSERTIVE COMMUNITY TREATMENT GRANT PROGRAM.**

\* \* \* \* \*

(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a State, political subdivision of a State, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), mental health system, health care facility, or any other entity the Assistant Secretary deems appropriate.

**§ 290ee–1(a) (Public Health Service Act, § 546(a))**

**SEC. 546. FIRST RESPONDER TRAINING.**

(a) PROGRAM AUTHORIZED.—The Secretary shall make grants to States, local governmental entities, and Indian tribes and tribal organizations (as defined in section 4 of the Indian Self-Determina-

tion and Education Assistance Act (25 U.S.C. 5304)) to allow first responders and members of other key community sectors to administer a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose.

**§ 290ff(a)(2) (Public Health Service Act, § 561(a)(2))**

**SEC. 561. COMPREHENSIVE COMMUNITY MENTAL HEALTH SERVICES FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCES.**

(a) GRANTS TO CERTAIN PUBLIC ENTITIES.—

\* \* \* \* \*

(2) DEFINITION OF PUBLIC ENTITY.—For purposes of this part, the term “public entity” means any State, any political subdivision of a State, and any Indian tribe or tribal organization (as defined in [section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act] subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e), (l))).

**§ 294d(c)(2) (Public Health Service Act, § 754(c)(2))**

**SEC. 754. QUENTIN N. BURDICK PROGRAM FOR RURAL INTERDISCIPLINARY TRAINING.**

\* \* \* \* \*

(c) APPLICATIONS.—Applications submitted for assistance under this section shall—

\* \* \* \* \*

(2) designate a rural health care agency or agencies for clinical treatment or training, including hospitals, community health centers, migrant health centers, rural health clinics, community behavioral and mental health centers, long-term care facilities, Native Hawaiian health centers, or facilities operated by the Indian Health Service or an Indian tribe or tribal organization or Indian organization under a contract with the Indian Health Service under the Indian Self-Determination Act (25 U.S.C. 5321 *et seq.*).

**§ 300n(c)(1) (Public Health Service Act, § 1504(c)(1))**

**SEC. 1504. ADDITIONAL REQUIRED AGREEMENTS.**

\* \* \* \* \*

(c) STATEWIDE PROVISION OF SERVICES.—

(1) IN GENERAL.—The Secretary may not make a grant under section 1501 unless the State involved agrees that services and activities under the grant will be made available throughout the State, including availability to members of any Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

**§ 300w–1(d)(5) (Public Health Service Act, § 1902(d)(5))**

**ALLOTMENTS**

SEC. 1902. (a)(1) \* \* \*



(d)(1) \* \* \*

(5) The terms “Indian tribe” and “tribal organization” have the same meaning given such terms in [section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act] *subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e), (l))*.

**§ 300x-33(d)(4) (Public Health Service Act, § 1933(d)(4))**

**SEC. 1933. DETERMINATION OF AMOUNT OF ALLOTMENT.**

\* \* \* \* \*

(d) INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—

\* \* \* \* \*

(4) DEFINITION.—The terms “Indian tribe” and “tribal organization” have the same meaning given such terms in [subsections (b) and (c) of section 4 of the Indian Self-Determination and Education Assistance Act] *subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e), (l))*.

**§ 410(a)(5)(B)(i)(V) (Social Security Act, § 210(a)(5)(B)(i)(V))**

**DEFINITION OF EMPLOYMENT**

SEC. 210. For the purposes of this title—

\* \* \* \* \*

(a) \* \* \*

(5) Service performed in the employ of the United States or any instrumentality of the United States, if such service—

\* \* \* \* \*

(B) is performed by an individual who—

(i) has been continuously performing service described in subparagraph (A) since December 31, 1983, and for purposes of this clause—

\* \* \* \* \*

(V) if an individual performing service described in subparagraph (A) returns to the performance of such service after employment (by a tribal organization) to which section 104(e)(2) of the Indian Self-Determination Act (25 U.S.C. 5323(e)(2)) applies, then the service performed for that tribal organization shall be considered service described in subparagraph (A); or

**§ 604 note (Assets for Independence Act, § 404(11))**

**SEC. 404. DEFINITIONS.**

In this title:

\* \* \* \* \*

(11) TRIBAL GOVERNMENT.—The term “tribal government” means a tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304) or a Native Hawaiian organization, as defined in section 6207 of the Native Hawaiian Education Act.

**§ 612(b)(1)(F), (e)(2) (Social Security Act, § 412(b)(1)(F), (e)(2))**

**SEC. 412. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.**

\* \* \* \* \*

**(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN.—**

(1) IN GENERAL.—Any Indian tribe that desires to receive a tribal family assistance grant shall submit to the Secretary a 3-year tribal family assistance plan that—

\* \* \* \* \*

(F) applies the fiscal accountability provisions of section 5(f)(1) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450c(f)(1))] (25 U.S.C. 5305(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

\* \* \* \* \*

(e) ACCOUNTABILITY.—Nothing in this section shall be construed to limit the ability of the Secretary to maintain program funding accountability consistent with—

\* \* \* \* \*

(2) the requirements of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.).

**§ 619(4)(A) (Social Security Act, § 419(4)(A))**

**SEC. 419. DEFINITIONS.**

As used in this part:

\* \* \* \* \*

**(4) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—**

(A) IN GENERAL.—Except as provided in subparagraph (B), the terms “Indian”, “Indian tribe”, and “tribal organization” have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 622(b)(9) (Social Security Act, § 422(b)(9))**

**STATE PLANS FOR CHILD WELFARE SERVICES**

SEC. 422. (a) \* \* \*

(b) Each plan for child welfare services under this subpart shall—

\* \* \* \* \*

(9) contain a description, developed after consultation with tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) in the State, of the specific measures taken by the State to comply with the Indian Child Welfare Act;

**§ 628(c) (Social Security Act, § 428(c))**

**PAYMENTS TO INDIAN TRIBAL ORGANIZATIONS**

SEC. 428. (a) \* \* \*

\* \* \* \* \*

(c) For purposes of this section, the terms “Indian tribe” and “tribal organization” shall have the meanings given such terms by subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(e), (l)), respectively.

**§ 653(c)(1) (Social Security Act, § 453(c)(1))**

PARENT LOCATOR SERVICE

SEC. 453. (a) \* \* \*

\* \* \* \* \*

(c) As used in subsection (a), the term “authorized person” means—

(1) any agent or attorney of any State or Indian tribe or tribal organization (as defined in subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(e), (l))), having in effect a plan approved under this part, who has the duty or authority under such plans to seek to recover any amounts owed as child and spousal support (including, when authorized under the State plan, any official of a political subdivision);

**§ 654(7), (33) (Social Security Act, § 454(7), (33))**

STATE PLAN FOR CHILD AND SPOUSAL SUPPORT

SEC. 454. A State plan for child and spousal support must—

\* \* \* \* \*

(7) provide for entering into cooperative arrangements with appropriate courts and law enforcement officials and Indian tribes or tribal organizations (as defined in subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(e), (l))) (A) to assist the agency administering the plan, including the entering into of financial arrangements with such courts and officials in order to assure optimum results under such program, and (B) with respect to any other matters of common concern to such courts or officials and the agency administering the plan;

\* \* \* \* \*

(33) provide that a State that receives funding pursuant to section 428 and that has within its borders Indian country (as defined in section 1151 of title 18, United States Code) may enter into cooperative agreements with an Indian tribe or tribal organization (as defined in subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304(e), (l))), if the Indian tribe or tribal organization demonstrates that such tribe or organization has an established tribal court system or a Court of Indian Offenses with the authority to establish paternity, establish, modify, or enforce support orders, or to enter support orders in accordance with child support guidelines established or adopted by such tribe or organization, under which the State and tribe or organization shall provide for the coopera-

tive delivery of child support enforcement services in Indian country and for the forwarding of all collections pursuant to the functions performed by the tribe or organization to the State agency, or conversely, by the State agency to the tribe or organization, which shall distribute such collections in accordance with such agreement; and

**§ 679c(a) (Social Security Act, § 479B(a))**

**SEC. 479B. PROGRAMS OPERATED BY INDIAN TRIBAL ORGANIZATIONS.**

(a) DEFINITIONS OF INDIAN TRIBE; TRIBAL ORGANIZATIONS.—In this section, the terms “Indian tribe” and “tribal organization” have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 1395x(aa)(4)(D)(Social Security Act, § 1861(aa)(4)(D))**

**DEFINITIONS OF SERVICES, INSTITUTIONS, ETC.**

SEC. 1861. For purposes of this title—

\* \* \* \* \*

**Rural Health Clinic Services and Federally Qualified Health Center Services**

(aa) \* \* \*

(4) The term “Federally qualified health center” means an entity which—

\* \* \* \* \*

(D) is an outpatient health program or facility operated by a tribe or tribal organization under the Indian Self-Determination Act (25 U.S.C. 5321 et seq.) or by an urban Indian organization receiving funds under title V of the Indian Health Care Improvement Act.

**§ 1396a note (Protecting Access to Medicare Act of 2014, § 223(a)(2)(F))**

**SEC. 223. DEMONSTRATION PROGRAMS TO IMPROVE COMMUNITY MENTAL HEALTH SERVICES.**

(a) CRITERIA FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS TO PARTICIPATE IN DEMONSTRATION PROGRAMS.—

\* \* \* \* \*

(2) REQUIREMENTS.—The criteria published under this subsection shall include criteria with respect to the following:

\* \* \* \* \*

(F) ORGANIZATIONAL AUTHORITY.—Criteria that a clinic be a non-profit or part of a local government behavioral health authority or operated under the authority of the Indian Health Service, an Indian tribe or tribal organization pursuant to a contract, grant, cooperative agreement, or compact with the Indian Health Service pursuant to the Indian Self-Determination Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5321 et seq.), or an urban Indian organization pursuant to a grant or contract with the Indian Health

*Service under title V of the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.).*

**§ 1396d(1)(2)(B) (Social Security Act, § 1905(1)(2)(B))**

DEFINITIONS

SEC. 1905. For purposes of this title—

\* \* \* \* \*

(1)(1) \* \* \*

(2)(A) \* \* \*

(B) The term “Federally-qualified health center” means an entity which—

\* \* \* \* \*

and includes an outpatient health program or facility operated by a tribe or tribal organization under the Indian Self-Determination Act [(Public Law 93–638)] (*Public Law 93–638; 25 U.S.C. 5321 et seq.*) or by an urban Indian organization receiving funds under title V of the Indian Health Care Improvement Act for the provision of primary health services. In applying clause (ii), the Secretary may waive any requirement referred to in such clause for up to 2 years for good cause shown.

**§ 1396r-1(b)(2)(D)(iv) (Social Security Act, § 1920(b)(2)(D)(iv))**

PRESUMPTIVE ELIGIBILITY FOR PREGNANT WOMEN

SEC. 1920. (a) \* \* \*

(b) For purposes of this section—

\* \* \* \* \*

(2) the term “qualified provider” means any provider that—

\* \* \* \* \*

(D)(i) \* \* \*

(iv) is the Indian Health Service or is a health program or facility operated by a tribe or tribal organization under the Indian Self-Determination Act [(Public Law 93–638)] (*Public Law 93–638; 25 U.S.C. 5321 et seq.*).

**§ 1396u-2(a)(2)(C)(ii) (Social Security Act, § 1932(a)(2)(C)(ii))**

PROVISIONS RELATING TO MANAGED CARE

SEC. 1932. (a) STATE OPTION TO USE MANAGED CARE.—

\* \* \* \* \*

(2) SPECIAL RULES.—

\* \* \* \* \*

(C) INDIAN ENROLLMENT.—A State may not require under paragraph (1) the enrollment in a managed care entity of an individual who is an Indian (as defined in section 4(c) of the Indian Health Care Improvement Act of 1976 (25 U.S.C. 1603(c)) unless the entity is one of the following (and only if such entity is participating under the plan:

\* \* \* \* \*

(ii) An Indian health program operated by an Indian tribe or tribal organization pursuant to a contract, grant, cooperative agreement, or compact with the Indian Health Service pursuant to the Indian Self-Determination Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5321 et seq.).

**§ 1397g(a)(4)(C) (Social Security Act, § 2008(a)(4)(C))**

**SEC. 2008. DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.**

(a) DEMONSTRATION PROJECTS TO PROVIDE LOW INCOME INDIVIDUALS WITH OPPORTUNITIES FOR EDUCATION, TRAINING, AND CAREER ADVANCEMENT TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.—

\* \* \* \* \*

(4) DEFINITIONS.—In this subsection:

\* \* \* \* \*

(C) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms “Indian tribe” and “tribal organization” have the meaning given such terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 1397j(12)(A) (Social Security Act, § 2011(12)(A))**

**SEC. 2011. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(12) INDIAN TRIBE.—

(A) IN GENERAL.—The term “Indian tribe” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 1490p–2(r)(4)(A), (v) (Housing Act of 1949, § 538(r)(4)(A), (v))**

**SEC. 538. LOAN GUARANTEES FOR MULTIFAMILY RENTAL HOUSING IN RURAL AREAS.**

\* \* \* \* \*

(r) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

\* \* \* \* \*

(4) INDIAN TRIBE.—The term “Indian tribe” means—

(A) any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation, as defined by or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975 [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.); or

\* \* \* \* \*

(v) DEFAULTS OF LOANS SECURED BY RESERVATION LANDS.—In the event of a default involving a loan to an Indian tribe or tribal corporation made under this section which is secured by an interest in land within such tribe's reservation (as determined by the Secretary of the Interior), including a community in Alaska incorporated by the Secretary of the Interior pursuant to the Indian Reorganization Act [(25 U.S.C. 461 et seq.)] (25 U.S.C. 5101 et seq.), the lender shall only pursue liquidation after offering to transfer the account to an eligible tribal member, the tribe, or the Indian housing authority serving the tribe. If the lender subsequently proceeds to liquidate the account, the lender shall not sell, transfer, or otherwise dispose of or alienate the property except to one of the entities described in the preceding sentence.

**§ 2004b (Act of August 5, 1954, ch. 658, § 8)**

SEC. 8. In accordance with subsection (d) of section 214 of the Public Health Service Act (58 Stat. 690), as amended, upon the request of any Indian tribe, band, group, or community, commissioned officers of the Service may be assigned by the Secretary for the purpose of assisting such Indian tribe, group, band, or community in carrying out the provisions of contracts with, or grants to, tribal organizations pursuant to [section 102, 103, or 104 of the Indian Self-Determination and Education Assistance Act] *sections 102 and 103 of the Indian Self-Determination and Education Assistance Act* (25 U.S.C. 5321, 5322).

**§ 2991b-3(e)(1)(B)(ii)(III) (Native American Programs Act of 1974, § 803C(e)(1)(B)(ii)(III))**

**SEC. 803C. GRANT PROGRAM TO ENSURE THE SURVIVAL AND CONTINUING VITALITY OF NATIVE AMERICAN LANGUAGES.**

\* \* \* \* \*

(e) LIMITATIONS ON FUNDING.—

\* \* \* \* \*

(1) SHARE.—Notwithstanding any other provision of this title, a grant made under subsection (a) may not be expended to pay more than 80 percent of the cost of the project that is assisted by such grant. Not less than 20 percent of such cost—

(B)(i) \* \* \*

(ii) may include funds (including interest) distributed to a Tribe—

\* \* \* \* \*

(III) by the Federal Government for general Tribal administration or Tribal development under a formula or subject to a Tribal budgeting priority system, such as, but not limited to, funds involved in the settlement of land or other judgment claims, severance or other royalty payments, or payments under the Indian Self-Determination Act [(25 U.S.C. 450f et seq.)] (25 U.S.C. 5321 et seq.) or Tribal budget priority system.

**§ 3057c(c) (Older Americans Act of 1965, § 612(c))**

ELIGIBILITY

SEC. 612. (a) \* \* \*

(c) For the purposes of this part the terms “Indian tribe” and “tribal organization” have the same meaning as in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 5101 note (Child Abuse Prevention and Treatment Act, § 3(5))**

**SEC. 3. GENERAL DEFINITIONS.**

In this Act—

\* \* \* \* \*

(5) the terms “Indian”, and “Indian tribe”, and “tribal organization” have the meanings given the terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304);

**§ 5122(6) (Robert T. Stafford Disaster Relief and Emergency Assistance Act, § 102(6))**

DEFINITIONS

SEC. 102. As used in this Act—

\* \* \* \* \*

(6) INDIAN TRIBAL GOVERNMENT.—The term “Indian tribal government” means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 [(25 U.S.C. 479a et seq.)] (25 U.S.C. 5130 et seq.).

**§ 9858c(c)(2)(G)(ii)(V)(dd) (Child Care and Development Block Grant Act of 1990, § 658E(c)(2)(G)(ii)(V)(dd))**

**SEC. 658E. APPLICATION AND PLAN.**

\* \* \* \* \*

(c) REQUIREMENTS OF A PLAN.—

\* \* \* \* \*

(2) POLICIES AND PROCEDURES.—The State plan shall:

\* \* \* \* \*

(G) TRAINING AND PROFESSIONAL DEVELOPMENT REQUIREMENTS.—

\* \* \* \* \*

(ii) REQUIREMENTS.—The plan shall provide an assurance that such training and professional development—

\* \* \* \* \*

(V) to the extent practicable, are appropriate for a population of children that includes—

\* \* \* \* \*



(dd) Native Americans, including Indians, as the term is defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304) (including Alaska Natives within the meaning of that term), and Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965).

**§ 9858n(8), (15)(A) (Child Care and Development Block Grant Act of 1990, § 658P(8), (15)(A))**

**SEC. 658P. DEFINITIONS.**

As used in this subchapter:

\* \* \* \* \*

(8) INDIAN TRIBE.—The term “Indian tribe” has the meaning given it in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

\* \* \* \* \*

(15) TRIBAL ORGANIZATION.—

(A) IN GENERAL.—The term “tribal organization” has the meaning given to it in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l)).

**§ 10362(10) (Omnibus Public Land Management Act of 2009, § 9502(10))**

**SEC. 9502. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(10) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 10402(5) (Family Violence Prevention and Services Act, § 302(5))**

**SEC. 302. DEFINITIONS.**

In this title:

\* \* \* \* \*

(5) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 10409(a) (Family Violence Prevention and Services Act, § 309(a))**

**SEC. 309. GRANTS FOR INDIAN TRIBES.**

(a) GRANTS AUTHORIZED.—The Secretary, in consultation with tribal governments pursuant to Executive Order No. 13175 [(25 U.S.C. 450 note)] (25 U.S.C. 5301 note) and in accordance with sec-

tion 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d), shall continue to award grants for Indian tribes from amounts appropriated under section 303(a)(2)(B) to carry out this section.

**§ 11432(c)(2)(B)(i) (McKinney-Vento Homeless Assistance Act, § 722(c)(2)(B)(i))**

**SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.**

\* \* \* \* \*

(c) ALLOCATION AND RESERVATIONS.—

\* \* \* \* \*

(2) RESERVATIONS.—(A) \* \* \*

(B)(i) The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450 et seq.)] (25 U.S.C. 5301 et seq.), that are consistent with the purposes of the programs described in this subtitle.

**§ 12340(f) (Claude Pepper Young Americans Act of 1990, § 934(f))**

**SEC. 934. AUTHORIZATION OF APPROPRIATION AND ALLOTMENT.**

\* \* \* \* \*

(f) GRANTS FOR INDIANS.—The Commissioner shall use 1 percent of the amount appropriated under this section for each fiscal year to make allotments to Indian tribes and tribal organizations (such terms having the same meaning given to such terms in [section 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(b) and (c))] *subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e), (l))*) that submit to the Commissioner a plan that meets criteria consistent with the provisions of this chapter and that comply with other requirements established by the Commissioner.

**§ 12511(21)(A)(i) (National and Community Service Act of 1990, § 101(21)(A)(i))**

**SEC. 101. DEFINITIONS.**

As used in this title:

\* \* \* \* \*

(21) INDIAN TRIBE.—The term “Indian tribe” means—

(A) an Indian tribe, band, nation, or other organized group or community, including—

(i) any Native village, as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)), whether organized traditionally or pursuant to the Act of June 18, 1934 [(commonly known as the “Indian Reorganization Act”; 48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.)] (*commonly known as the*

*“Indian Reorganization Act”*; 48 Stat. 984, chapter 576; 25 U.S.C. 5101 et seq.); and

**§ 15855(a)(2) (Energy Policy Act of 2005, § 210(a)(2))**

**SEC. 210. GRANTS TO IMPROVE THE COMMERCIAL VALUE OF FOREST BIOMASS FOR ELECTRIC ENERGY, USEFUL HEAT, TRANSPORTATION FUELS, AND OTHER COMMERCIAL PURPOSES.**

(a) DEFINITIONS.—In this section:

\* \* \* \* \*

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4(e) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(e))] (25 U.S.C. 5304(e)).

**§ 17151(4) (Energy Independence and Security Act of 2007, § 541(4))**

**SEC. 541. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 18071(d)(1) (Patient Protection and Affordable Care Act, § 1402(d)(1))**

**SEC. 1402. REDUCED COST SHARING FOR INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS.**

\* \* \* \* \*

(d) SPECIAL RULES FOR INDIANS.—

(1) INDIANS UNDER 300 PERCENT OF POVERTY.—If an individual enrolled in any qualified health plan in the individual market through an Exchange is an Indian (as defined in section 4(d) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(d))] (25 U.S.C. 5304(d))) whose household income is not more than 300 percent of the poverty line for a family of the size involved, then, for purposes of this section—

## **TITLE 43—PUBLIC LANDS**

**§ 373d (Energy and Water Development Appropriations Act, 2003, § 201)**

SEC. 201. In order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, in fiscal year 2003 and thereafter, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization pursuant to 31 U.S.C. 6301–6308. Nothing in this Act is intended to modify or limit the provisions of [the Indian Self Determination Act (25 U.S.C. 45 et seq.)] *the Indian Self-Determination Act (25 U.S.C. 5321 et seq.)*.

**§ 407 note (Northwestern New Mexico Rural Water Projects Act, § 10302(17))**

**SEC. 10302. DEFINITIONS.**

In this subtitle:

\* \* \* \* \*

(17) NATION.—The term “Nation” means the Navajo Nation, a body politic and federally-recognized Indian nation as provided for in section 101(2) of the Federally Recognized Indian Tribe List of 1994 [(25 U.S.C. 497a(2))] (25 U.S.C. 5130(2)), also known variously as the “Navajo Tribe,” the “Navajo Tribe of Arizona, New Mexico & Utah,” and the “Navajo Tribe of Indians” and other similar names, and includes all bands of Navajo Indians and chapters of the Navajo Nation.

**§ 1601 note (Alaska Native Claims Settlement Act, § 17(a)(1))**

**DISCLAIMER**

SEC. 17. (a) No provision of this Act (the Alaska Native Claims Settlement Act Amendments of 1987), exercise of authority pursuant to this Act, or change made by, or pursuant to, this Act in the status of land shall be construed to validate or invalidate or in any way affect—

(1) any assertion that a Native organization (including a federally recognized tribe, traditional Native council, or Native council organized pursuant to the Act of June 18, 1934 (48 Stat. 987), as amended (25 U.S.C. 5101 *et seq.*)) has or does not have governmental authority over lands (including management of, or regulation of the taking of, fish and wildlife) or persons within the boundaries of the State of Alaska, or

**§ 1620(e) (Alaska Native Claims Settlement Act, § 21(e))**

**TAXATION**

SEC. 21. (A) \* \* \*

(e) Real property interests conveyed pursuant to this Act to a Native individual, Native group, corporation organized under section 14(h)(3), or Village or Regional Corporation shall, so long as the fee therein remains not subject to State or local taxes on real estate, continue to be regarded as public lands for the purpose of computing the Federal share of any highway project pursuant to title 23 of the United States Code, as amended and supplemented, for the purpose of the Johnson-O'Malley Act of April 16, 1934, as amended [(25 U.S.C. 452)] (25 U.S.C. 5342 *et seq.*), and for the purpose of Public Laws 815 and 874, 81st Congress (64 Stat. 967, 1100). So long as there are no substantial revenues from such lands they shall continue to receive wildland fire protection services from the United States at no cost.

**§ 2401(4) (Reclamation Rural Water Supply Act of 2006, § 102(4))**

**SEC. 102. DEFINITIONS.**

In this title:

\* \* \* \* \*

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

**§ 2421(1) (Twenty-First Century Water Works Act, § 202(1))**

**SEC. 202. DEFINITIONS.**

In this title:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## **TITLE 47—TELECOMMUNICATIONS**

**§ 942(e)(3)(A) (National Telecommunications and Information Administration Organization Act, § 158(e)(3)(A))**

**SEC. 158. COORDINATION OF 9-1-1, E9-1-1, AND NEXT GENERATION 9-1-1 IMPLEMENTATION.**

\* \* \* \* \*

(e) DEFINITIONS.—In this section, the following definitions shall apply:

\* \* \* \* \*

**(3) ELIGIBLE ENTITY.—**

(A) IN GENERAL.—The term “eligible entity” means a State or local government or a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b(l))] (25 U.S.C. 5304(l))).

**§ 1305(e)(1)(A) (American Recovery and Reinvestment Act of 2009, § 6001(e)(1)(A))**

**SEC. 6001. BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM.**

\* \* \* \* \*

(e) To be eligible for a grant under the program, an applicant shall—

(1)(A) be a State or political subdivision thereof, the District of Columbia, a territory or possession of the United States, an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450(b))] (25 U.S.C. 5304) or native Hawaiian organization;

## **TITLE 49—TRANSPORTATION**

**§ 5102(6)**

**§ 5102. Definitions**

In this chapter—

\* \* \* \* \*

(6) “Indian tribe” has the same meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450b)] (25 U.S.C. 5304).

## TITLE 50—WAR AND NATIONAL DEFENSE

**§ 1521(e)(1)(C) (Department of Defense Authorization Act,  
title XIV, § 1412(e)(1)(C))**

**SEC. 1412. DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.**

\* \* \* \* \*

(e) GRANTS AND COOPERATIVE AGREEMENTS.—(1)(A) \* \* \*

(C) In this paragraph, the term “tribal organization” has the meaning given that term in section 4(1) of the Indian Self-Determination and Education Assistance Act [(25 U.S.C. 450(b)(1))] (25 U.S.C. 5304(1)).

